

Federal Communications Commission

Pt. 74

RULES APPLY TO ALL SERVICES, AM, FM, AND TV, UNLESS INDICATED AS PERTAINING TO A SPECIFIC SERVICE—Continued

[Policies of FCC are indicated (*)]

TV	73.685
Transmitter location and antenna system (TV)	73.685
Transmitters, Auxiliary	73.1670
Transmitters, broadcast, Acceptability of	73.1660
Transmitters, Main	73.1665
Transmitters, TV, aural and visual, Operation of	73.653
TV Channel 6 protection (NCE-FM)	73.525
TV colorburst during black/white programming	73.4272 (*)
TV/FM dual-language broadcasting in Puerto Rico	73.1210
Type approval of modulation monitors, General requirements (TV)	73.692
U	
Unauthorized operation	73.1745
U.S./Mexican Agreement	73.3570
USA-Mexico FM Broadcast Agreement, Channel assignments under (NCE-FM)	73.504
Unlimited time	73.1710
Unreserved channels, Noncommercial educational broadcast stations operating on (NCE-FM)	73.513
Use of channels, Restrictions on (FM)	73.220
Use of common antenna site—	
FM	73.239
TV	73.635
Use of multiplex subcarriers—	
FM	73.293
TV	73.665
Use of multiplex transmissions (AM) ...	73.127
V	
Vertical blanking interval, Telecommunication service on	73.646
Vertical plane radiation characteristics	73.160
Visual and aural TV transmitters, Operation of	73.653
Visual modulation monitoring equipment	73.691
W	
Want ads	73.1212
Z	
Zone, Quiet	73.1030
Zones—	
FM	73.205
NCE-FM	73.505
TV	73.609

[50 FR 38530, Sept. 23, 1985; 50 FR 40395, Oct. 3, 1985, as amended at 51 FR 34621, 34622, Sept. 30, 1986; 52 FR 37316, Oct. 6, 1987; 52 FR 47569, Dec. 15, 1987; 53 FR 2499, Jan. 28, 1988; 58 FR 51250, Oct. 1, 1993; 59 FR 67103, Dec. 28, 1994; 63 FR 33878, June 22, 1998]

PART 74—EXPERIMENTAL RADIO, AUXILIARY, SPECIAL BROADCAST AND OTHER PROGRAM DISTRIBUTIONAL SERVICES

Subpart—General; Rules Applicable to All Services in Part 74

Sec.

- 74.1 Scope.
- 74.2 General definitions.
- 74.3 FCC inspections of stations.
- 74.5 Cross reference to rules in other parts.
- 74.12 Notification of filing of applications.
- 74.13 Equipment tests.
- 74.14 Service or program tests.
- 74.15 Station license period.
- 74.16 Temporary extension of station licenses.
- 74.18 Transmitter control and operation.
- 74.19 Special technical records.
- 74.21 Broadcasting emergency information.
- 74.22 Use of common antenna structure.
- 74.23 Interference jeopardizing safety of life or protection of property.
- 74.24 Short-term operation.
- 74.28 Additional orders.
- 74.30 Antenna structure, marking and lighting.
- 74.32 Operation in the 17.8–19.7 GHz band.

Subpart A—Experimental Broadcast Stations

- 74.101 Experimental broadcast station.
- 74.102 Uses of experimental broadcast stations.
- 74.103 Frequency assignment.
- 74.112 Supplementary statement with application for construction permit.
- 74.113 Supplementary reports with application for renewal of license.
- 74.131 Licensing requirements, necessary showing.
- 74.132 Power limitations.
- 74.133 Emission authorized.
- 74.134 Multiple ownership.
- 74.151 Equipment changes.

TECHNICAL OPERATION AND OPERATORS

- 74.161 Frequency tolerances.
- 74.162 Frequency monitors and measurements.
- 74.163 Time of operation.
- 74.165 Posting of station license.
- 74.181 Station records.
- 74.182 Program service and charges.
- 74.183 Station identification.
- 74.184 Rebroadcasts.

Subparts B—C [Reserved]

Subpart D—Remote Pickup Broadcast Stations

- 74.401 Definitions.
- 74.402 Frequency assignment.
- 74.403 Frequency selection to avoid interference.
- 74.431 Special rules applicable to remote pickup stations.
- 74.432 Licensing requirements and procedures.
- 74.433 Temporary authorizations.
- 74.434 Remote control operation.
- 74.436 Special requirements for automatic relay stations.
- 74.451 Certification of equipment.
- 74.452 Equipment changes.
- 74.461 Transmitter power.
- 74.462 Authorized bandwidth and emissions.
- 74.463 Modulation requirements.
- 74.464 Frequency tolerance.
- 74.465 Frequency monitors and measurements.
- 74.482 Station identification.

Subpart E—Aural Broadcast Auxiliary Stations

- 74.501 Classes of aural broadcast auxiliary stations.
- 74.502 Frequency assignment.
- 74.503 Frequency selection.
- 74.531 Permissible service.
- 74.532 Licensing requirements.
- 74.533 Remote control and unattended operation.
- 74.534 Power limitations.
- 74.535 Emission and bandwidth.
- 74.536 Directional antenna required.
- 74.537 Temporary authorizations.
- 74.550 Equipment authorization.
- 74.551 Equipment changes.
- 74.561 Frequency tolerance.
- 74.562 Frequency monitors and measurements.
- 74.564 Posting of station license.
- 74.582 Station identification.

Subpart F—Television Broadcast Auxiliary Stations

- 74.600 Eligibility for license.
- 74.601 Classes of TV broadcast auxiliary stations.
- 74.602 Frequency assignment.
- 74.603 Sound channels.
- 74.604 Interference avoidance.
- 74.631 Permissible service.
- 74.632 Licensing requirements.
- 74.633 Temporary authorizations.
- 74.634 Remote control operation.
- 74.635 Unattended operation.
- 74.636 Power limitations.
- 74.637 Emissions and emission limitations.
- 74.638 Frequency coordination.
- 74.641 Antenna systems.

- 74.643 Interference to geostationary-satellites.
- 74.644 Minimum path lengths for fixed links.
- 74.651 Equipment changes.
- 74.655 Authorization of equipment.
- 74.661 Frequency tolerance.
- 74.662 Frequency monitors and measurements.
- 74.663 Modulation limits.
- 74.664 Posting of station license.
- 74.682 Station identification.

Subpart G—Low Power TV, TV Translator, and TV Booster Stations

- 74.701 Definitions.
- 74.702 Channel assignments.
- 74.703 Interference.
- 74.705 TV broadcast analog station protection.
- 74.706 Digital TV (DTV) station protection.
- 74.707 Low power TV and TV translator station protection.
- 74.709 Land mobile station protection.
- 74.731 Purpose and permissible service.
- 74.732 Eligibility and licensing requirements.
- 74.733 UHF translator signal boosters.
- 74.734 Attended and unattended operation.
- 74.735 Power limitations.
- 74.736 Emissions and bandwidth.
- 74.737 Antenna location.
- 74.750 Transmission system facilities.
- 74.751 Modification of transmission systems.
- 74.761 Frequency tolerance.
- 74.762 Frequency measurements.
- 74.763 Time of operation.
- 74.765 Posting of station and operator licenses.
- 74.769 Copies of rules.
- 74.780 Broadcast regulations applicable to translators, low power, and booster stations.
- 74.781 Station records.
- 74.783 Station identification.
- 74.784 Rebroadcasts.

Subpart H—Low Power Auxiliary Stations

- 74.801 Definitions.
- 74.802 Frequency assignment.
- 74.803 Frequency selection to avoid interference.
- 74.831 Scope of service and permissible transmissions.
- 74.832 Licensing requirements and procedures.
- 74.833 Temporary authorizations.
- 74.851 Certification of equipment.
- 74.852 Equipment changes.
- 74.861 Technical requirements.
- 74.882 Station identification.

Federal Communications Commission

§ 74.2

Subpart I—Instructional Television Fixed Service

- 74.901 Definitions.
- 74.902 Frequency assignments.
- 74.903 Interference.
- 74.910 Part 73 application requirements pertaining to ITFS stations.
- 74.911 Processing of ITFS station applications.
- 74.912 Petitions to deny.
- 74.931 Purpose and permissible service.
- 74.932 Eligibility and licensing requirements.
- 74.933 Remote control operation.
- 74.934 Unattended operation.
- 74.935 Power limitations.
- 74.936 Emissions and bandwidth.
- 74.937 Antennas.
- 74.938 Transmission standards.
- 74.939 ITFS response stations.
- 74.949 Individually licensed 125 kHz channel ITFS response stations.
- 74.951 Modification of transmission systems.
- 74.952 Acceptability of equipment for licensing.
- 74.961 Frequency tolerance.
- 74.962 Frequency monitors and measurements.
- 74.963 Time of operation.
- 74.965 Posting of station license.
- 74.969 Copies of rules.
- 74.970 Modulation limits.
- 74.971 Modulation monitors and measurements.
- 74.982 Station identification.
- 74.984 Retransmissions.
- 74.985 Signal booster stations.
- 74.986 Involuntary ITFS station modifications.
- 74.990 Use of available instructional television fixed service frequencies by wireless cable entities.
- 74.991 Wireless cable application procedures.
- 74.992 Access to channels licensed to wireless cable entities.
- 74.996 Applicability of cable EEO requirements to ITFS facilities.

Subparts J—K [Reserved]

Subpart L—FM Broadcast Translator Stations and FM Broadcast Booster Stations

- 74.1201 Definitions.
- 74.1202 Frequency assignment.
- 74.1203 Interference.
- 74.1204 Protection of FM broadcast stations and FM translators.
- 74.1205 Protection of channel 6 TV broadcast stations.
- 74.1231 Purpose and permissible service.
- 74.1232 Eligibility and licensing requirements.

- 74.1233 Processing FM translator and booster station applications.
- 74.1234 Unattended operation.
- 74.1235 Power limitations and antenna systems.
- 74.1236 Emission and bandwidth.
- 74.1237 Antenna location.
- 74.1250 Transmitters and associated equipment.
- 74.1251 Technical and equipment modifications.
- 74.1261 Frequency tolerance.
- 74.1262 Frequency monitors and measurements.
- 74.1263 Time of operation.
- 74.1265 Posting of station license.
- 74.1269 Copies of rules.
- 74.1281 Station records.
- 74.1283 Station identification.
- 74.1284 Rebroadcasts.
- 74.1290 FM translator and booster station information available on the Internet.

ALPHABETICAL INDEX—PART 74

AUTHORITY: 47 U.S.C. 154, 303, 307, and 554.

EDITORIAL NOTE: Nomenclature changes to part 74 appear at 64 FR 4055, Jan. 27, 1999.

Subpart—General; Rules Applicable to All Services in Part 74

§ 74.1 Scope.

(a) The rules in this subpart are applicable to the Experimental, Auxiliary and Special Broadcast, and Other Program Distributional Services.

(b) Rules in part 74 which apply exclusively to a particular service are contained in that service subpart, as follows: Experimental Broadcast Stations, subpart A; Remote Pickup Broadcast Stations, subpart D; Aural Broadcast STL and Intercity Relay Stations, subpart E; TV Auxiliary Broadcast Stations, subpart F; Low Power TV, TV Translator and TV Booster Stations, subpart G; Low Power Auxiliary Stations, subpart H; Instructional TV Fixed Service, subpart I; FM Broadcast Translator Stations and FM Broadcast Booster Stations, subpart L.

(Secs. 4, 303, 48 Stat., as amended, 1066, 1032; 47 U.S.C. 158, 303)

[47 FR 53022, Nov. 24, 1982, and 49 FR 32583, Aug. 15, 1984, as amended at 52 FR 31402, Aug. 20, 1987]

§ 74.2 General definitions.

Broadcast network-entity. A broadcast network-entity is an organization

§ 74.3

which produces programs available for simultaneous transmission by 10 or more affiliated broadcast stations and having distribution facilities or circuits available to such affiliated stations at least 12 hours each day.

Cable network-entity. A cable network-entity is an organization which produces programs available for simultaneous transmission by cable systems serving a combined total of at least 5,000,000 subscribers and having distribution facilities or circuits available to such affiliated stations or cable systems.

[51 FR 4601, Feb. 6, 1986]

§ 74.3 FCC inspections of stations.

(a) The licensee of a station authorized under this part must make the station available for inspection by representatives of the FCC during the station's business hours, or at any time it is in operation.

(b) In the course of an inspection or investigation, an FCC representative may require special equipment tests or program tests.

(c) The logs and records required by this part for the particular class or type of station must be made available upon request to representatives of the FCC.

[47 FR 53022, Nov. 24, 1982]

§ 74.5 Cross reference to rules in other parts.

Certain rules applicable to Experimental, Auxiliary, Special Broadcast and other Program Distribution services, some of which are also applicable to other services, are set forth in the following Parts of the FCC Rules and Regulations:

(a) Part 1, "Practice and procedure".

(1) Subpart A, "General Rules of Practice and Procedure". (§§ 1.1 to 1.120).

(2) Subpart B, "Hearing Proceedings". (§§ 1.120 to 1.364).

(3) Subpart C, "Rulemaking Proceedings". (§§ 1.399 to 1.430).

(4) Subpart G, "Schedule of Statutory Charges and Procedures for Payment". (§§ 1.1101 to 1.1120).

(5) Subpart H, "Ex Parte Presentations". (§§ 1.1200 to 1.1216).

47 CFR Ch. I (10–1–99 Edition)

(6) Subpart I, "Procedures Implementing the National Environmental Policy Act of 1969". (§§ 1.1301 to 1.1319).

(b) Part 2, "Frequency Allocations and Radio Treaty Matters, General Rules and Regulations", including subparts A, "Terminology"; B, "Allocation, Assignments and Use of Radio Frequencies"; C, "Emissions"; D, "Call Signs and Other Forms of Identifying Radio Transmissions"; and J, "Equipment Authorization Proceedings".

(c) [Reserved]

(d) Part 17, "Construction, Marking and Lighting of Antenna Structures".

(e) Part 73, "Radio Broadcast Services".

[53 FR 2499, Jan. 28, 1988, as amended at 60 FR 55482, Nov. 1, 1995]

§ 74.12 Notification of filing of applications.

The provisions of § 73.1030 "Notification concerning interference to Radio Astronomy, Research, and Receiving Installations" apply to all stations authorized under this part of the FCC Rules except the following:

(a) Mobile remote pickup stations (subpart D).

(b) TV pickup stations (subpart F).

(c) Low power auxiliary stations (subpart H).

[44 FR 58735, Oct. 11, 1979, as amended at 44 FR 77167, Dec. 31, 1979; 47 FR 28388, June 30, 1982]

§ 74.13 Equipment tests.

(a) During the process of construction of any class of radio station listed in this part, the permittee, without further authority of the Commission, may conduct equipment tests for the purpose of such adjustments and measurements as may be necessary to assure compliance with the terms of the construction permit, the technical provisions of the application therefor, the technical requirements of this chapter, and the applicable engineering standards.

(b) Equipment tests may be continued so long as the construction permit shall remain valid.

Federal Communications Commission

§ 74.15

(c) The authorization for tests embodied in this section shall not be construed as constituting a license to operate.

[38 FR 18378, July 10, 1973]

§ 74.14 Service or program tests.

(a) Upon completion of construction of a radio station in accordance with the terms of the construction permit, the technical provisions of the application therefor, technical requirements of this chapter, and applicable engineering standards, and when an application for station license has been filed showing the station to be in satisfactory operating condition, the permittee or any class of station listed in this part may, without further authority of the Commission, conduct service or program tests.

(b) Program test authority for stations authorized under this part will continue valid during Commission consideration of the application for license and during this period further extension of the construction permit is not required. Program test authority shall be automatically terminated with final action on the application for station license.

(c) The authorization for tests embodied in this section shall not be construed as approval by the Commission of the application for station license.

[38 FR 18378, July 10, 1973]

§ 74.15 Station license period.

(a) Licenses for experimental broadcast stations will be issued for a one year period.

(b) Licenses for stations or systems in the Auxiliary Broadcast Service held by a licensee of a broadcast station will be issued for a period running concurrently with the license of the associated broadcast station with which it is licensed. Licenses held by eligible networks for the purpose of providing program service to affiliated stations under subpart D of this part, and by eligible networks, cable television operators, motion picture producers and television program producers under subpart H of this part will be issued for a period running concurrently with the normal licensing period for broadcast

stations located in the same area of operation.

(c) The license of an FM broadcast booster station or a TV broadcast booster station will be issued for a period running concurrently with the license of the FM radio broadcast station or TV broadcast station (primary station) with which it is used.

(d) Initial licenses for low power TV, TV translator, and FM translator stations will ordinarily be issued for a period running until the date specified in § 73.1020 of this chapter for full service stations operating in their State or Territory, or if issued after such date, to the next renewal date determined in accordance with § 73.1020 of this chapter. Lower power TV and TV translator station and FM translator station licenses will ordinarily be renewed for 8 years. However, if the FCC finds that the public interest, convenience or necessity will be served, it may issue either an initial license or a renewal thereof for a lesser term. The FCC may also issue a license renewal for a shorter term if requested by the applicant. The time of expiration of all licenses will be 3 a.m. local time, on the following dates, and thereafter to the schedule for full service stations in their states as reflected in § 73.1020 of this chapter:

(1) Nevada:

(i) FM translators, February 1, 1997.

(ii) LPTV and TV translator, February 1, 1998.

(2) California:

(i) FM translators, April 1, 1997.

(ii) LPTV and TV translators, April 1, 1998

(3) Maine, Vermont, New Hampshire, Massachusetts, Connecticut, Rhodes Island, New York, New Jersey, Pennsylvania, Maryland, Delaware, West Virginia, Ohio and the District of Columbia:

(i) FM translators, June 1, 1997

(ii) LPTV and TV translators, June 1, 1998

(4) Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Arkansas, Missouri, Kentucky, Tennessee, Indiana, Illinois, Michigan, Wisconsin, Puerto Rico and the Virgin Islands:

(i) FM translators, August 1, 1997

- (ii) LPTV and TV translators, August 1, 1998
- (5) Oklahoma and Texas:
 - (i) FM translators, October 1, 1997
 - (ii) LPTV and TV translators, October 1, 1998
- (6) Kansas and Nebraska:
 - (i) FM translators, December 1, 1997
 - (ii) LPTV and TV translators, December 1, 1998
- (7) Iowa and South Dakota:
 - (i) FM translators, February 1, 1998
 - (ii) LPTV and TV translators, February 1, 1999
- (8) Minnesota and North Dakota:
 - (i) FM translators, April 1, 1998
 - (ii) LPTV and TV translators, April 1, 1999
- (9) Wyoming:
 - (i) FM translators, June 1, 1998
 - (ii) LPTV and TV translators, June 1, 1999
- (10) Montana:
 - (i) FM translators, August 1, 1998
 - (ii) LPTV and TV translators, August 1, 1999
- (11) Idaho:
 - (i) FM translators, October 1, 1995
 - (ii) LPTV and TV translators, October 1, 1996
- (12) Washington:
 - (i) FM translators, December 1, 1995
 - (ii) LPTV and TV translators, December 1, 1996
- (13) Oregon:
 - (i) FM translators, February 1, 1996
 - (ii) LPTV and TV translators, February 1, 1997
- (14) Alaska, American Samoa, Guam, Mariana Islands and Hawaii:
 - (i) FM translators, April 1, 1996
 - (ii) LPTV and TV translators, April 1, 1997
- (15) Colorado:
 - (i) FM translators, June 1, 1996
 - (ii) LPTV and TV translators, June 1, 1997
- (16) New Mexico:
 - (i) FM translators, August 1, 1996
 - (ii) LPTV and TV translators, August 1, 1997
- (17) Utah:
 - (i) FM translators, October 1, 1996
 - (ii) LPTV and TV translators, October 1, 1997
- (18) Arizona:
 - (i) FM translators, December 1, 1996
 - (ii) LPTV and TV translators, December 1, 1997

(e) Licenses for instructional television fixed stations will be issued for a period of 10 years beginning with the date of grant. An application for renewal of license (FCC Form 330-R) shall be filed not later than the first day of the fourth full calendar month prior to the expiration date of the license sought to be renewed. If the prescribed deadline falls on a nonbusiness day, the cutoff shall be the close of business of the first full business day thereafter.

(f) Licenses held by broadcast network-entities under Subpart F will ordinarily be issued for a period of 8 years running concurrently with the normal licensing period for broadcast stations located in the same area of operation. An application for renewal of license (FCC Form 313-R) shall be filed not later than the first day of the fourth full calendar month prior to the expiration date of the license sought to be renewed. If the prescribed deadline falls on a nonbusiness day, the cutoff shall be the close of business of the first full business day thereafter.

(g) The license of an experimental broadcast station, FM translator or FM broadcast booster, TV translator or TV broadcast booster, or low power TV station will expire as a matter of law upon failure to transmit broadcast signals for any consecutive 12-month period notwithstanding any provision, term, or condition of the license to the contrary. Further, if the license of any AM, FM, or TV broadcasting station licensed under part 73 of this chapter expires for failure to transmit signals for any consecutive 12-month period, the licensee's authorizations under part 74, subparts D, E, F, and H in connection with the operation of that AM, FM, or TV broadcasting station will also expire notwithstanding any provision, term, or condition to the contrary.

(Secs. 4, 5, 303, 48 Stat., as amended, 1066, 1068, 1082 (47 U.S.C. 154, 155, 303))

[28 FR 13706, Dec. 14, 1963, as amended at 49 FR 32583, Aug. 15, 1984; 50 FR 26758, June 28, 1985; 52 FR 7142, Mar. 9, 1987; 52 FR 25604, July 8, 1987; 52 FR 31402, Aug. 20, 1987; 59 FR 63052, Dec. 7, 1994; 61 FR 28767, June 6, 1996; 62 FR 5347, Feb. 5, 1997]

Federal Communications Commission

§ 74.22

§ 74.16 Temporary extension of station licenses.

Where there is pending before the Commission any application, investigation, or proceeding which, after hearing, might lead to or make necessary the modification of, revocation of, or the refusal to renew an existing auxiliary or experimental broadcast station license or a television broadcast translator station license, the Commission in its discretion, may grant a temporary extension of such license: *Provided, however,* That no such temporary extension shall be construed as a finding by the Commission that the operation of any radio station thereunder will serve public interest, convenience, and necessity beyond the express terms of such temporary extension of license: *And provided further,* That such temporary extension of license will in no wise affect or limit the action of the Commission with respect to any pending application or proceeding.

[28 FR 13706, Dec. 14, 1963, as amended at 37 FR 25843, Dec. 5, 1972]

§ 74.18 Transmitter control and operation.

Except where unattended operation is specifically permitted, the licensee of each station authorized under the provisions of this part shall designate a person or persons to activate and control its transmitter. At the discretion of the station licensee, persons so designated may be employed for other duties and for operation of other transmitting stations if such other duties will not interfere with the proper operation of the station transmission systems.

[60 FR 55482, Nov. 1, 1995]

§ 74.19 Special technical records.

The FCC may require a broadcast auxiliary station licensee to keep operating and maintenance records necessary to resolve conditions of actual or potential interference, rule violations, or deficient technical operation.

[48 FR 38482, Aug. 24, 1983]

§ 74.21 Broadcasting emergency information.

(a) In an emergency where normal communication facilities have been

disrupted or destroyed by storms, floods or other disasters, the stations licensed under this part may be operated for the purpose of transmitting essential communications intended to alleviate distress, dispatch aid, assist in rescue operations, maintain order, or otherwise promote the safety of life and property. In the course of such operation, a station of any class may communicate with stations of other classes and in other services. However, such operation shall be conducted only on the frequency or frequencies for which the station is licensed and the used power shall not exceed the maximum authorized in the station license. When such operation involves the use of frequencies shared with other stations, licensees are expected to cooperate fully to avoid unnecessary or disruptive interference.

(b) Whenever such operation involves communications of a nature other than those for which the station is licensed to perform, the licensee shall, at the earliest practicable time, notify the FCC in Washington, DC of the nature of the emergency and the use to which the station is being put and shall subsequently notify the same offices when the emergency operation has been terminated.

(c) Emergency operation undertaken pursuant to the provisions of this section shall be discontinued as soon as substantially normal communications facilities have been restored. The Commission may at any time order discontinuance of such operation.

(Secs. 4, 5, 303, 48 Stat., as amended, 1066, 1068, 1082 (47 U.S.C. 154, 155, 303))

[28 FR 13706, Dec. 14, 1963, as amended at 37 FR 25843, Dec. 5, 1972; 44 FR 65765, Nov. 15, 1979; 47 FR 40175, Sept. 13, 1982]

§ 74.22 Use of common antenna structure.

The simultaneous use of a common antenna structure by more than one station authorized under this part, or by one or more stations of any other service may be authorized. The owner of each antenna structure is responsible for ensuring that the structure, if required, is painted and/or illuminated in accordance with part 17 of this chapter. In the event of default by the

§ 74.23

owner, each licensee or permittee shall be responsible for ensuring that the structure complies with applicable painting and lighting requirements.

[61 FR 4368, Feb. 6, 1996]

§ 74.23 Interference jeopardizing safety of life or protection of property.

(a) The licensee of any station authorized under this part that causes harmful interference, as defined in § 2.1 of the Commission's rules, to radio communications involving the safety of life or protection of property shall promptly eliminate the interference.

(b) If harmful interference to radio communications involving the safety of life or protection of property cannot be promptly eliminated and the Commission finds that there exists an imminent danger to safety of life or protection of property, pursuant to 47 U.S.C. 312 (b) and (e) and 5 U.S.C. 558, operation of the offending equipment shall temporarily be suspended and shall not be resumed until the harmful interference has been eliminated or the threat to the safety of life or property has passed. In situations where the protection of property alone is jeopardized, before taking any action under this paragraph, the Commission shall balance the nature and extent of the possible property damage against the potential harm to a licensee or the public caused by suspending part 74 operations. When specifically authorized, short test operations may be made during the period of suspended operation to check the efficacy of remedial measures.

[47 FR 1395, Jan. 13, 1982]

§ 74.24 Short-term operation.

The classes of broadcast auxiliary stations provided for in subparts D, E, F and H of this part may be operated on a short-term basis under the authority conveyed by a part 73 license without prior authorization from the FCC, subject to the following conditions:

(a) The part 73 licensee of this chapter must be eligible to operate the particular class of broadcast auxiliary station.

(b) The short-term broadcast auxiliary station shall be operated in conformance with all normally applicable

47 CFR Ch. I (10–1–99 Edition)

regulations to the extent they are not superceded by specific provisions of this section.

(c) Short-term operation is on a secondary, non-interference basis to regularly authorized stations and shall be discontinued immediately upon notification that perceptible interference is being caused to the operation of a regularly authorized station. Short-term station operators shall, to the extent practicable, use only the effective radiated power and antenna height necessary for satisfactory system performance.

(d) Short-term operation by a part 73 licensee shall not exceed 720 hours annually per frequency.

NOTE: Certain frequencies shared with other services which are normally available for permanent broadcast auxiliary station assignment may not be available for short-term operation. Refer to any note(s) which may be applicable to the use of a specific frequency prior to initiating operation.

(e) The antenna height of a station operated pursuant to this section shall not increase the height of any man-made antenna supporting structure, or increase by more than 6.1 meters (20 feet) the height of any other type of man-made structure or natural formation. However, the facilities of an authorized broadcast auxiliary station belonging to another licensee may be operated in accordance with the terms of its outstanding authorization.

(f) Stations operated pursuant to this section shall be identified by the transmission of the call sign of the associated broadcast station.

(g) The part 73 licensee of this chapter, prior to operating pursuant to the provisions of this section shall, for the intended location or area-of-operation, notify the appropriate frequency coordination committee or any licensee(s) assigned the use of the proposed operating frequency, concerning the particulars of the intended operation and shall provide the name and telephone number of a person who may be contacted in the event of interference. Information on active frequency coordination committees may be obtained by contacting the FCC's Auxiliary Services Branch at (202) 634-6307 between 8:00 a.m. and 4:30 p.m. Eastern Time. Except as provided

below, this notification provision shall not apply where an unanticipated need for immediate short-term mobile station operation would render compliance with the provisions of this paragraph impractical.

(l) A CARS licensee shall always be given advance notification prior to the commencement of short-term operation on or adjacent to an assigned frequency.

(h) Short-term operation is limited to areas south or west of the United States-Canada border as follows:

(1) Use of broadcast auxiliary service frequencies below 470 MHz is limited to areas of the United States south of Line A or west of Line C unless the effective radiated power of the station is 5 watts or less.

NOTE: Line A is a line above which frequency assignments made by the Federal Communications Commission are coordinated with the Canadian Department of Communications and which begins at Aberdeen, Washington, running by great circle arc to the intersection of 48° N., 120° W., then along parallel 48° N., to the intersection of 95° W., then by great circle arc through the southernmost point of Duluth, Minnesota, then by great circle arc to 45° N., 85° W., then southward along meridian 85° W., to its intersection with parallel 41° N., then along parallel 41° N., to its intersection with meridian 82° W., then by great circle arc through the southernmost point of Bangor, Maine, then by great circle arc through the southernmost point of Searsport, Maine, at which point it terminates. Line C is a line east of which frequency assignments are similarly coordinated and which begins at the intersection of 70° N., 144° W., then by great circle arc to the intersection of 60° N., 143° W., then by great circle arc so as to include all of the Alaskan Panhandle.

(2) A broadcast auxiliary service station operating on frequencies between 470 MHz and 1 GHz must be at least 56.3 kilometers (35 miles) south (or west, as appropriate) of the United States-Canada border if the antenna looks within a 200° sector toward the border; or, the station must be at least 8.1 kilometers (5 miles) south (or west, as appropriate) if the antenna looks within a 160° sector away from the border. However, operation is not permitted in either of these two situations if the station would be within the coordination distance of a receiving earth station in Canada which uses the same frequency

band. (The coordination distance is the distance, calculated for any station, according to Appendix 28 of the International Radio Regulations.)

(3) A broadcast auxiliary service station operating on frequencies above 1 GHz shall not be located within the coordination distance of a receiving earth station in Canada which uses the same frequency band. (The coordination distance is the distance, calculated for any station, according to Appendix 28 of the international Radio Regulations.)

(i) Short-term operation of a remote pickup broadcast base station, a remote pickup automatic relay station, an aural broadcast STL station, an aural broadcast intercity relay station, a TV STL station, a TV intercity relay station or a TV translator relay station in the National Radio Quiet Zone, the Table Mountain Radio Receiving Zone, or near FCC monitoring stations is subject to the same advance notification procedures applicable to regular applications as provided for in §§ 73.1030 and 74.12, except that inasmuch as short-term operation does not involve an application process, the provisions relating to agency objection procedures shall not apply. It shall simply be necessary for the part 73 licensee of this chapter to contact the potentially affected agency and obtain advance approval for the proposed short-term operation. Where protection to FCC monitoring stations is concerned, approval for short-term operation may be given by the local Engineer-in-Charge.

(j)(1) This paragraph applies only to operations which will transmit on frequencies under 15 GHz. Prior to commencing short-term operation of a remote pickup broadcast station, a remote pickup automatic relay station, an aural broadcast STL station, an aural broadcast intercity relay station, a TV STL station, a TV intercity relay station, a TV translator relay station, a TV pickup station, or a TV microwave booster station within the 4-mile (6.4 kilometer) radius Commonwealth of Puerto Rico Protection Zone (centered on NAD-83 Geographical Coordinates North Latitude 18°20'38.28", West Longitude 66°45'09.42"), an applicant must notify the Arecibo Observatory,

§ 74.28

located near Arecibo, Puerto Rico. Operations within the Puerto Rico Coordination Zone (*i.e.*, on the islands of Puerto Rico, Desecheo, Mona, Vieques, or Culebra), but outside the Protection Zone, whether short term or long term, shall provide notification to the Arecibo Observatory prior to commencing operation. Notification should be directed to the following: Interference Office, Arecibo Observatory, Post Office Box 995, Arecibo, Puerto Rico 00613, Tel. (809) 878-2612, Fax (809) 878-1861, E-mail prcz@naic.edu.

(2) Notification of short-term operations may be provided by telephone, fax, or electronic mail. The notification for long-term operations shall be written or electronic, and shall set forth the technical parameters of the proposed station, including the geographical coordinates of the antenna (NAD-83 datum), antenna height above ground, ground elevation at the antenna, antenna directivity and gain, proposed frequency and FCC Rule Part, type of emission, effective radiated power, and whether the proposed use is itinerant. Applicants may wish to consult interference guidelines, which will be provided by Cornell University. In addition, the applicant shall indicate in its application to the Commission the date notification was made to the Observatory. Generally, submission of the information in the technical portion of the FCC license application is adequate notification. After receipt of such applications in non-emergency situations, the Commission will allow the Arecibo Observatory a period of 20 days for comments or objections in response to the notification indicated. The applicant will be required to make reasonable efforts in order to resolve or mitigate any potential interference problem with the Arecibo Observatory and to file either an amendment to the application or a modification application, as appropriate. If the Commission determines that an applicant has satisfied its responsibility to make reasonable efforts to protect the Observatory from interference, its application may be granted. In emergency situations in which prior notification or approval is not practicable, notification or ap-

47 CFR Ch. I (10-1-99 Edition)

proval must be accomplished as soon as possible after operations begin.

(Secs. 4, 303, 48 Stat., as amended, 1066, 1032; 47 U.S.C. 158, 303)

[47 FR 9219, Mar. 4, 1982, as amended at 49 FR 34356, Aug. 30, 1984; 50 FR 23709, June 5, 1985; 62 FR 55532, Oct. 27, 1997]

§ 74.28 Additional orders.

In case the rules contained in this part do not cover all phases of operation or experimentation with respect to external effects, the FCC may make supplemental or additional orders in each case as may be deemed necessary.

[47 FR 53022, Nov. 24, 1982]

§ 74.30 Antenna structure, marking and lighting.

The provisions of part 17 of the FCC rules (Construction, Marking, and Lighting of Antenna Structures) require certain antenna structures to be painted and/or lighted in accordance with the provisions of §§ 17.47 through 17.56 of the FCC rules.

[47 FR 53022, Nov. 24, 1982]

§ 74.32 Operation in the 17.8-19.7 GHz band.

(a) To minimize or avoid harmful interference to Government Satellite Earth Stations located in the Denver, Colorado and Washington, DC areas, any application for a new station license to operate in the 17.8-19.7 GHz band, or for modification of an existing station license in this band which would change the frequency, power, emission, modulation, polarization, antenna height or directivity, or location of such a station, must be coordinated with the Federal Government by the Commission before an authorization will be issued, if the station or proposed station is located in whole or in part within any of the areas defined by the following rectangles or circles:

Denver, CO Area

Rectangle 1:

41°30'00" N. Lat. on the north
103°10'00" W. Long. on the east
38°30'00" N. Lat. on the south
106°30'00" W. Long. on the west

Rectangle 2:

38°30'00" N. Lat. on the north
105°00'00" W. Long. on the east

Federal Communications Commission

§ 74.112

37°30'00" N. Lat. on the south
105°50'00" W. Long. on the west
Rectangle 3:
40°08'00" N. Lat. on the north
107°00'00" W. Long. on the east
39°56'00" N. Lat. on the south
107°15'00" W. Long. on the west

Washington, DC Area

Rectangle
38°40'00" N. Lat. on the north
78°50'00" W. Long. on the east
38°10'00" N. Lat. on the south
79°20'00" W. Long. on the west

or

(b) Within a radius of 178 km of
38°48'00" N. Lat./76° 52'00" W. Long.

(c) In addition, no application seeking authority to operate in the 17.8-19.7 GHz band will be accepted for filing if the proposed station is located within 20 km of the following coordinates:

Denver, CO area: 39°43'00" N. Lat./104°46'00" W. Long.

Washington, DC area: 38°48'00" N. Lat. / 76°52'00" W. Long.

NOTE TO § 74.32: The coordinates cited in this section are specified in terms of the "North American Datum of 1983 (NAD 83)" with an accuracy of ±30 meters with respect to the "National Spatial Reference System".

[62 FR 55537, Oct. 27, 1997]

Subpart A—Experimental Broadcast Stations

§ 74.101 Experimental broadcast station.

The term *experimental broadcast station* means a station licensed for experimental or developmental transmission of radio telephony, television, facsimile, or other types of telecommunication services intended for reception and use by the general public.

(Secs. 4, 303, 48 Stat., as amended, 1066, 1032; 47 U.S.C. 158, 303)

[49 FR 32583, Aug. 15, 1984]

§ 74.102 Uses of experimental broadcast stations.

A license for an experimental broadcast station will be issued for the purposes of carrying on research and experimentation for the development and advancement of new broadcast technology, equipment, systems or services which are more extensive or require

other modes of transmission than can be accomplished by using a licensed broadcast station under an experimental authorization (see § 73.1510).

(Secs. 4, 303, 48 Stat., as amended, 1066, 1032; 47 U.S.C. 158, 303)

[49 FR 32583, Aug. 15, 1984]

§ 74.103 Frequency assignment.

(a) Frequencies allocated to broadcasting and the various categories of auxiliary stations, in the FCC's Table of Frequency Allocations (Part 2 of this chapter), may be assigned respectively to experimental broadcast and experimental auxiliary stations.

(b) More than one frequency may be assigned upon a satisfactory showing of the need therefor.

(c) Frequencies best suited to the purpose of the experimentation and on which there appears to be the least likelihood of interference to established stations shall be selected.

(d) In a case of important experimentation which cannot be feasibly conducted on frequencies allocated to broadcasting or the various categories of auxiliary stations, the FCC may authorize an experimental station of any class to operate on other frequencies upon a satisfactory showing of the need therefore and a showing that the proposed operation can be conducted without causing harmful interference to established services. However, experimental operation which looks toward the development of radio transmitting apparatus or the rendition of any type of regular service using such frequencies will not be authorized prior to a determination by the FCC that the development of such apparatus or the rendition of such service would serve the public interest.

(Secs. 4, 303, 48 Stat., as amended, 1066, 1032; 47 U.S.C. 158, 303)

[28 FR 13706, Dec. 14, 1963, as amended at 49 FR 32583, Aug. 15, 1984]

§ 74.112 Supplementary statement with application for construction permit.

A supplementary statement shall be filed with, and made a part of, each application for construction permit for any experimental broadcast station

§ 74.113

confirming the applicant's understanding:

(a) That all operation upon the frequency requested is for experimental purposes only.

(b) That the frequency requested may not be the best suited to the particular experimental work to be carried on.

(c) That the frequency requested need not be allocated for any service that may be developed as a result of the experimental operation.

(d) That any frequency which may be assigned is subject to change without advance notice or hearing.

(e) That any authorization issued pursuant to the application may be cancelled at any time without notice or hearing, and will expire as a matter of law if the station fails to transmit broadcast signals for any consecutive 12-month period, notwithstanding any provision, term, or condition of the license to the contrary.

(f) That if approval of the experimental broadcast station may have a significant environmental impact, see § 1.1307 of this chapter, submission of an environmental assessment, under § 1.1311 of this chapter, and compliance with the Commission's environmental rules contained in part 1 of this chapter is required.

(Sec. 319, 48 Stat. 1089, as amended; 47 U.S.C. 319; secs. 4, 303, 48 Stat., as amended, 1066, 1032; 47 U.S.C. 158, 303)

[28 FR 13706, Dec. 14, 1963, as amended at 49 FR 32583, Aug. 15, 1984; 55 FR 20398, May 16, 1990; 61 FR 28767, June 6, 1996]

§ 74.113 Supplementary reports with application for renewal of license.

(a) A report shall be filed with each application for renewal of experimental broadcast station license which shall include a statement of each of the following:

(1) Number of hours operated.

(2) Full data on research and experimentation conducted including the types of transmitting and studio equipment used and their mode of operation.

(3) Data on expense of research and operation during the period covered.

(4) Power employed, field intensity measurements and visual and aural observations and the types of instruments and receivers utilized to determine the station service area and the

47 CFR Ch. I (10–1–99 Edition)

efficiency of the respective types of transmissions.

(5) Estimated degree of public participation in reception and the results of observations as to the effectiveness of types of transmission.

(6) Conclusions, tentative and final.

(7) Program of further developments in broadcasting.

(8) All developments and major changes in equipment.

(9) Any other pertinent developments.

(b) Special or progress reports shall be submitted from time to time as the Commission shall direct.

(Sec. 308, 48 Stat. 1084, as amended; 47 U.S.C. 308; secs. 4, 303, 48 Stat., as amended, 1066, 1032; 47 U.S.C. 158, 303)

[28 FR 13706, Dec. 14, 1963, as amended at 49 FR 32583, Aug. 15, 1984]

§ 74.131 Licensing requirements, necessary showing.

(a) An applicant for a new experimental broadcast station, change in facilities of any existing station, or modification of license is required to make a satisfactory showing of compliance with the general requirements of the Communications Act of 1934, as amended, as well as the following:

(1) That the applicant has a definite program of research and experimentation in the technical phases of broadcasting which indicates reasonable promise of substantial contribution to the developments of the broadcasting art.

(2) That upon the authorization of the proposed station the applicant can and will proceed immediately with its program of research and experimentation.

(3) That the transmission of signals by radio is essential to the proposed program of research and experimentation.

(4) That the program of research and experimentation will be conducted by qualified personnel.

(b) A license of an experimental broadcast station will not authorize exclusive use of any frequency. In case interference would be caused by simultaneous operation of stations licensed experimentally, such licensees shall endeavor to arrange satisfactory time

Federal Communications Commission

§ 74.162

division. If such agreement cannot be reached, the FCC will determine and specify the time division.

(c) A license for an experimental broadcast station will be issued only on the condition that no objectionable interference to the regular program transmissions of broadcast stations will result from the transmissions of the experimental stations.

(Secs. 4, 303, 48 Stat., as amended, 1066, 1032; 47 U.S.C. 158, 303)

[28 FR 13706, Dec. 14, 1963, as amended at 49 FR 32583, Aug. 15, 1984]

§ 74.132 Power limitations.

The license for experimental broadcast stations will specify the maximum authorized power. The operating power shall not be greater than necessary to carry on the service and in no event more than 5 percent above the maximum power specified. Engineering standards have not been established for these stations. The efficiency factor for the last radio stage of transmitters employed will be subject to individual determination but shall be in general agreement with values normally employed for similar equipment operated within the frequency range authorized.

(Secs. 4, 303, 48 Stat., as amended, 1066, 1032; 47 U.S.C. 158, 303)

[49 FR 32583, Aug. 15, 1984]

§ 74.133 Emission authorized.

In case emission of a different type than that specified in the license is necessary or desirable in carrying on any phases of experimentation, application setting out fully the needs shall be made by informal application.

[28 FR 13706, Dec. 14, 1963]

§ 74.134 Multiple ownership.

No persons (including all persons under common control) shall control, directly or indirectly, two or more experimental broadcast stations unless a showing is made that the program of research requires a licensing of two or more separate stations.

[49 FR 32584, Aug. 15, 1984]

§ 74.151 Equipment changes.

The licensee of an experimental broadcast station may make any changes in the equipment that are deemed desirable or necessary provided:

(a) That the operating frequency is not permitted to deviate more than the allowed tolerance;

(b) That the emissions are not permitted outside the authorized band;

(c) That the power output complies with the license and the regulations governing the same; and

(d) That the transmitter as a whole or output power rating of the transmitter is not changed.

(Secs. 4, 303, 48 Stat., as amended, 1066, 1032; 47 U.S.C. 158, 303)

[28 FR 13706, Dec. 14, 1963, as amended at 49 FR 32584, Aug. 15, 1984]

TECHNICAL OPERATION AND OPERATORS

§ 74.161 Frequency tolerances.

The departure of the carrier frequency or frequencies of an experimental broadcast station must not exceed the tolerance specified in the instrument of authorization. For modes of transmission that do not have a resting or center carrier frequency, the occupied bandwidth of the station transmissions may not exceed that specified in the instrument of authorization.

(Secs. 4, 303, 48 Stat., as amended, 1066, 1032; 47 U.S.C. 158, 303)

[49 FR 32584, Aug. 15, 1984]

§ 74.162 Frequency monitors and measurements.

The licensee of an experimental broadcast station shall provide the necessary means for determining that the frequency of the station is within the allowed tolerance. The date and time of each frequency check, the frequency as measured, and a description or identification of the method employed shall be entered in the station log. Sufficient observations shall be made to

§ 74.163

insure that the assigned carrier frequency is maintained within the prescribed tolerance.

(Secs. 4, 303, 48 Stat., as amended, 1066, 1032; 47 U.S.C. 158, 303)

[49 FR 32584, Aug. 15, 1984]

§ 74.163 Time of operation.

(a) Unless specified or restricted hours of operation are shown in the station authorization, experimental broadcast stations may be operated at any time and are not required to adhere to a regular schedule of operation.

(b) The FCC may limit or restrict the periods of station operation in the event interference is caused to other broadcast or nonbroadcast stations.

(c) The FCC may require that an experimental broadcast station conduct such experiments as are deemed desirable and reasonable for development of the type of service for which the station was authorized.

(Secs. 4, 303, 48 Stat., as amended, 1066, 1032; 47 U.S.C. 158, 303)

[49 FR 32584, Aug. 15, 1984]

§ 74.165 Posting of station license.

The instrument of authorization or a clearly legible photocopy thereof shall be available at the transmitter site.

[60 FR 55482, Nov. 1, 1995]

§ 74.181 Station records.

(a) The licensee of each experimental broadcast station must maintain adequate records of the operation, including:

(1) Information concerning the nature of the experimental operation and the periods in which it is being conducted.

(2) Information concerning any specific data requested by the FCC.

(b) Station records must be retained for a period of two years.

(Secs. 4, 303, 48 Stat., as amended, 1066, 1032; 47 U.S.C. 158, 303)

[49 FR 32584, Aug. 15, 1984]

§ 74.182 Program service and charges.

(a) The licensee of an experimental broadcast station may transmit pro-

47 CFR Ch. I (10–1–99 Edition)

gram material only when necessary to the experiments being conducted, and no regular program service may be broadcast unless specifically authorized.

(b) The licensee of an experimental broadcast station may make no charges nor ask for any payment, directly or indirectly, for the production or transmission of any programming or information used for experimental broadcast purposes.

(Secs. 4, 303, 48 Stat., as amended, 1066, 1032; 47 U.S.C. 158, 303)

[49 FR 32584, Aug. 15, 1984]

§ 74.183 Station identification.

Each experimental broadcast station shall make aural or visual announcements of its call letters and location at the beginning and end of each period of operation, and at least once every hour during operation.

(Secs. 4, 303, 48 Stat., as amended, 1066, 1032; 47 U.S.C. 158, 303)

[49 FR 32584, Aug. 15, 1984]

§ 74.184 Rebroadcasts.

(a) The term *rebroadcast* means reception by radio of the programs or other transmissions of a broadcast station, and the simultaneous or subsequent retransmission of such programs or transmissions by a broadcast station.

(1) As used in this section, the word “program” includes any complete program or part thereof.

(2) The transmission of a program from its point of origin to a broadcast station entirely by common carrier facilities, whether by wire line or radio, is not considered a rebroadcast.

(3) The broadcasting of a program relayed by a remote broadcast pickup station is not considered a rebroadcast.

(b) No licensee of an experimental broadcast station may retransmit the program of another U.S. broadcast station without the express authority of the originating station. A copy of the written consent of the licensee originating the program must be kept by

Federal Communications Commission

§ 74.401

the licensee of the experimental broadcast station retransmitting such program and made available to the FCC upon request.

(Secs. 4, 303, 48 Stat., as amended, 1066, 1032; 47 U.S.C. 158, 303)

[49 FR 32584, Aug. 15, 1984]

Subparts B—C [Reserved]

Subpart D—Remote Pickup Broadcast Stations

§ 74.401 Definitions.

Associated broadcasting station(s). The broadcasting station or stations with which a remote pickup broadcast station or system is licensed as an auxiliary and with which it is principally used.

Authorized bandwidth. The occupied or necessary bandwidth, whichever is greater, authorized to be used by a station.

Automatic relay station. A remote pickup broadcast base station which is actuated by automatic means and is used to relay transmissions between remote pickup broadcast base and mobile stations, between remote pickup broadcast mobile stations and from remote pickup broadcast mobile stations to broadcasting stations. (Automatic operation is not operation by remote control.)

Carrier power. The average power at the output terminals of a transmitter (other than a transmitter having a suppressed, reduced or controlled carrier) during one radio frequency cycle under conditions of no modulation.

Mean power. The power at the output terminals of a transmitter during normal operation, averaged over a time sufficiently long compared with the period of the lowest frequency encountered in the modulation. A time of 1/10 second during which the mean power is greatest will be selected normally.

Necessary bandwidth. For a given class of emission, the minimum value of the occupied bandwidth sufficient to ensure the transmission of information at the rate and with the quality required for the system employed, under specified conditions. Emissions useful for the good functioning of the receive-

ing equipment, as for example, the emission corresponding to the carrier of reduced carrier systems, shall be included in the necessary bandwidth.

Occupied bandwidth. The frequency bandwidth such that, below its lower and above its upper frequency limits, the mean powers radiated are each equal to 0.5 percent of the total mean power radiated by a given emission.

Operational communications. Communications concerning the technical and programming operation of a broadcast station and its auxiliaries.

Remote control operation. Operation of a base station by a properly designated person on duty at a control position from which the transmitter is not visible but that position is equipped with suitable controls so that essential functions can be performed therefrom.

Remote pickup broadcast base station. A remote pickup broadcast station authorized for operation at a specified location.

Remote pickup broadcast mobile station. A remote pickup broadcast station authorized for use while in motion or during halts at unspecified locations. (As used in this subpart, mobile stations include hand-carried, pack-carried and other portable transmitters.)

Remote pickup broadcast stations. A term used in this subpart to include both remote pickup broadcast base stations and remote pickup broadcast mobile stations.

Remote pickup mobile repeater unit. A vehicular receiver-transmitter repeater used to provide extended communications range for a low-power hand-carried or pack-carried transmitter.

Station. As used in this subpart, each remote pickup broadcast transmitter, and its associated accessory equipment necessary to the radio communication function, constitutes a separate station.

Studio. Any room or series of rooms equipped for the regular production of broadcast programs of various kinds. A broadcasting booth at a stadium, convention hall, church, or other similar place is not considered to be a studio.

Systems. A complete remote pickup broadcast facility consisting of one or more mobile stations and/or one or

more base stations authorized pursuant to a single license.

[41 FR 29686, July 19, 1976, as amended at 42 FR 14728, Mar. 16, 1977; 47 FR 28388, June 30, 1982; 47 FR 54448, Dec. 3, 1982; 51 FR 4601, Feb. 6, 1986]

§ 74.402 Frequency assignment.

(a) The following frequencies may be assigned for use by remote broadcast pickup stations and broadcast network-entities. Frequencies between 450.025–450.975 and 455.025–455.975 MHz may also be assigned for use by cable network-entities.

- (1) *Group A* (kHz): 1606,¹ 1622, 1646.
- (2) *Group D* (MHz): 25.87,² 26.15, 26.25, 26.35.
- Group E* (MHz): 25.91,² 26.17, 26.27, 26.37.
- Group F* (MHz): 25.95;² 26.19; 26.29; 26.39.
- Group G* (MHz): 25.99;² 26.21; 26.31; 26.41.
- Group H* (MHz): 26.03;² 26.23; 26.33; 26.43.
- (3) *Group I* (MHz): 26.07;² 26.11; 26.45.
- Group J* (MHz): 26.09;² 26.13; 26.47.
- (4) *Group K*⁸₁ (MHz): 152.873, 152.933, 152.993, 153.053, 153.113, 153.173, 153.233, 153.293, 153.353.
- Group K*⁸₂ (MHz): 161.645; 161.675; 161.705; 161.735; 161.765.

¹ Subject to the condition that no harmful interference is caused to the reception of standard broadcasting stations.

² Subject to the condition that no harmful interference is caused to stations in the broadcasting service.

³ Subject to the condition that no harmful interference is caused to stations operating in accordance with the Table of Frequency Allocations set forth in Part 2 of the Commission's Rules and Regulations. Applications for licenses to use frequencies in this group must include statements showing what procedures will be taken to insure that interference will not be caused to stations in the Industrial/Business Pool.

⁴ Operation on the frequencies 166.25 MHz and 170.15 MHz is not authorized (i) within the area bounded on the west by the Mississippi River, on the north by the parallel of latitude 37°30' N., and on the east and south by the arc of the circle with center at Springfield, Ill., and radius equal to the airline distance between Springfield, Ill., and Montgomery, Alabama, subtended between the foregoing west and north boundaries; (ii) within 241.4 kilometers (150 miles) of New York City; and (iii) in Alaska or outside the

(5) *Group L* (MHz): 166.25⁴.

Group M (MHz): 170.15⁴.

(6) *Group N*₁ (MHz): 450.050; 450.150; 450.250; 450.350; 450.450; 450.550; 455.050; 455.150; 455.250; 455.350; 455.450; 455.550.

*Group N*₂ (MHz): 450.0875; 450.1125; 450.1875; 450.2125; 450.2875; 450.3125; 450.3875; 450.4125; 450.4875; 450.5125; 450.5875; 450.6125; 455.0875; 455.1125; 455.1875; 455.2125; 455.2875; 455.3125; 455.3875; 455.4125; 455.4875; 455.5125; 455.5875; 455.6125.

(7) *Group P* (MHz): 450.01⁶, 450.02⁶; 450.986; 450.996; 455.016; 455.026; 455.986; 455.996.

(8) *Group R* (MHz): 450.650, 450.700, 450.750, 450.800, 450.850, 455.650, 455.700, 455.750, 455.800, 455.850.

Group S (MHz): 450.925, 455.925.

(b) The following frequencies are allocated for assignment to remote pickup broadcast stations in Puerto Rico and the Virgin Islands only:

160.89 MHz, 160.95 MHz, 160.01 MHz, 161.07 MHz, 161.13 MHz, 161.19 MHz, 161.25 MHz, 161.31 MHz, 161.37 MHz.

NOTE: These frequencies are shared with the Industrial/Business Pool.

(c) For licensing purposes, a single system will consist of transmitters authorized to use the following combinations of frequency groups in a single area:

- (1) *Group A*.
- (2) One group from *Groups D, E, F, G, or H*; and/or either *I or J*.
- (3) *Groups K*₁ and *K*₂, and/or either *L or M*.
- (4) *Groups N*₁ and *R*.
- (5) *Group N*₂.
- (6) *Group P*.
- (7) *Group S*.

continental United States; and is subject to the condition that no harmful interference is caused to government radio stations in the band 162–174 MHz.

⁵ These frequencies may not be used by remote pickup stations in Puerto Rico or the Virgin Islands. In other areas, certain existing stations in the Public Safety Pool and Industrial/Business Pool have been permitted to continue operation on these frequencies on condition that no harmful interference is caused to remote pickup broadcast stations.

⁶ The use of these frequencies is limited to operational communications, including tones for signalling and for remote control and automatic transmission system control and telemetry.

Federal Communications Commission

§ 74.402, Note

(d) License applicants shall request assignment of only those frequencies, both in number and channel bandwidth, necessary for satisfactory operation. A licensee may operate a remote pickup broadcast system only if the system is equipped to operate on all assigned frequencies. It is not necessary that each transmitter within a system be equipped to operate on all authorized system frequencies.

(e) Remote pickup broadcast stations or systems will not be granted exclusive frequency assignments. The same frequency or frequencies may be assigned to other licensees in the same area. Applicants for licenses should select the frequencies closest to the lower band edges within a group that will meet operational requirements to promote the orderly and efficient use of the allocated frequencies.

(Sec. 5, 48 Stat. 1068; 47 U.S.C. 155)

[41 FR 29686, July 19, 1976, as amended at 42 FR 2070, Jan. 10, 1977; 42 FR 14728, Mar. 16, 1977; 43 FR 14661, Apr. 7, 1978; 44 FR 65765, Nov. 15, 1979; 47 FR 24580, June 7, 1982; 50 FR 9036, Mar. 6, 1985; 50 FR 23709, June 5, 1985; 51 FR 4601, Feb. 6, 1986; 62 FR 18844, Apr. 17, 1997]

EFFECTIVE DATE NOTE: At 49 FR 45158, Nov. 15, 1984, § 74.402 was revised in its entirety. However, the effective date for this revision is still pending. For the convenience of the reader, the revised version of § 74.402 is set forth below:

§ 74.402 Authorized frequencies.

Operation on all channels listed in this section (except: 26.07, 26.11, 26.45, 450.01, 450.02, 450.98, 450.99, 455.01, 455.02, 455.98, 455.99 MHz) shall be in accordance with the "priority of use" provisions in § 74.403(b). The channel will be assigned by its center frequency, channel bandwidth, and emission designator. The frequencies listed in this section represent the center of the channel or channel segment.

(a) The following channels (except 1606, 1622, and 1646 kHz) may be assigned for us by broadcast remote pickup stations using any emission (other than single sideband or pulse) that will be in accordance with the provisions of § 74.462. The channels 1606, 1622, and 1646 kHz are limited to A3E emission.

(1) MF Channels: 1606, 1622, and 1646 kHz; Maximum authorized channel bandwidth: 10 kHz; The channel 1606 kHz is subject to the condition listed in subparagraph (e)(1) of this Section.

(2) HF Channels: 25.87, 25.91, 25.95, 25.99, 26.03, 26.07, 26.09, 26.11, 26.13, 26.15, 26.17, 26.21,

26.23, 26.25, 26.27, 26.29, 26.31, 26.33, 26.35, 26.37, 26.39, 26.41, 26.43, 26.45, and 26.47 MHz; Maximum authorized channel bandwidth: 20 kHz, except the channels 25.87–26.03 MHz are 40 kHz; The channels 25.87–26.09 MHz are subject to the condition listed in subparagraph (e)(2) of this Section.

(3) VHF Channels: 166.25 and 170.15 MHz; Maximum authorized channel bandwidth: 25 kHz; These channels are subject to the condition listed in subparagraph (e)(8) of this Section.

(4) UHF Channels: 450.01, 450.02, 450.98, 450.99, 455.01, 455.02, 455.98, 455.99 MHz; Maximum authorized channel bandwidth: 10 kHz; These channels are subject to the condition listed in subparagraph (e)(9) of this Section.

(b) One or more of the following 5 kHz segments may be stacked to form a channel which may be assigned for use by broadcast remote pickup stations using any emission contained within the resultant channel in accordance with the provisions of § 74.462.

(1) VHF segments: 152.8575, 152.8625, 152.8675, 152.8725, 152.8775, 152.8825, 152.9175, 152.9225, 152.9275, 152.9325, 152.9375, 152.9425, 152.9775, 152.9825, 152.9875, 152.9925, 152.9975, 153.0025, 153.0375, 153.0425, 153.0475, 153.0525, 153.0575, 153.0625, 153.0975, 153.1025, 153.1075, 153.1125, 153.1175, 153.1225, 153.1575, 153.1625, 153.1675, 153.1725, 153.1775, 153.1825, 153.2175, 153.2225, 153.2275, 153.2325, 153.2375, 153.2425, 153.2775, 153.2825, 153.2875, 153.2925, 153.2975, 153.3025, 153.3375, 153.3425, 153.3475, 153.3525, 153.3575, and 153.362 MHz; Maximum authorized channel bandwidth: 30 kHz; These channels are subject to the conditions listed in paragraphs (e) (3), (4), and (5) of this section.

(2) VHF segments: 160.8625, 160.8675, 160.8725, 160.8775, 160.8825, 160.8875, 160.8925, 160.8975, 160.9025, 160.9075, 160.9125, 160.9175, 160.9225, 160.9275, 160.9325, 160.9375, 160.9425, 160.9475, 160.9525, 160.9575, 160.9625, 160.9675, 160.9725, 160.9775, 160.9825, 160.9875, 160.9925, 160.9975, 161.0025, 161.0075, 161.0125, 161.0175, 161.0225, 161.0275, 161.0325, 161.0375, 161.0425, 161.0475, 161.0525, 161.0575, 161.0625, 161.0675, 161.0725, 161.0775, 161.0825, 161.0875, 161.0925, 161.0975, 161.1025, 161.1075, 161.1125, 161.1175, 161.1225, 161.1275, 161.1325, 161.1375, 161.1425, 161.1475, 161.1525, 161.1575, 161.1625, 161.1675, 161.1725, 161.1775, 161.1825, 161.1875, 161.1925, 161.1975, 161.2025, 161.2075, 161.2125, 161.2175, 161.2225, 161.2275, 161.2325, 161.2375, 161.2425, 161.2475, 161.2525, 161.2575, 161.2625, 161.2675, 161.2725, 161.2775, 161.2825, 161.2875, 161.2925, 161.2975, 161.3025, 161.3075, 161.3125, 161.3175, 161.3225, 161.3275, 161.3325, 161.3375, 161.3425, 161.3475, 161.3525, 161.3575, 161.3625, 161.3675, 161.3725, 161.3775, 161.3825, 161.3875, 161.3925, and 161.3975 MHz; Maximum authorized channel bandwidth: 30 kHz; These channels are subject to the condition listed in paragraph (e)(6) of this section.

(3) VHF segments: 161.6275, 161.6325, 161.6375, 161.6425, 161.6475, 161.6525, 161.6575, 161.6625, 161.6675, 161.6725, 161.6775, 161.6825,

47 CFR Ch. I (10-1-99 Edition)

(1) UHF segments: 450.6375, 450.6625, 450.6875, 450.7125, 450.7375, 450.7625, 450.7875, 450.8125, 450.8375, 450.8625, 455.6375, 455.6625, 455.6875, 455.7125, 455.7375, 455.7625, 455.7875, 455.8125, 455.8375, 455.8625 MHz. Maximum authorized channel bandwidth: 50 kHz.

(d) One or two of the following 50 kHz segments may be stacked to form a channel which may be assigned for use by broadcast remote pickup stations using any emission contained within the resultant channel in accordance with the provisions of Section 74.462. Users committed to 100 kHz bandwidths and transmitting program material will have primary use of these channels.

(e) Conditions on Broadcast Remote Pickup Service channel usage as referred to in subparagraphs (a) through (d) above:

(1) Operation is subject to the condition that no harmful interference is caused to the reception of AM broadcast stations.

(2) Operation is subject to the condition that no harmful interference is caused to stations in the broadcast service.

(3) Operation is subject to the condition that no harmful interference is caused to stations operating in accordance with the Table of Frequency Allocations set forth in Part 2 of the Commission's Rules and Regulations. Applications for licenses to use frequencies in this band must include statements showing what procedures will be taken to ensure that interference will not be caused to stations in the Industrial Radio Services.

(4) These frequencies will not be licensed to network entities.

(5) These frequencies will not be authorized to new stations for use on board aircraft.

(6) These frequencies are allocated for assignment to broadcast remote pickup stations in Puerto Rico or the Virgin Islands only.

NOTE: These frequencies are shared with Public Safety and Land Transportation Radio Services.

(7) These frequencies may not be used by broadcast remote pickup stations in Puerto Rico or the Virgin Islands. In other areas, certain existing stations in the Public Safety and Land Transportation Radio Services have been permitted to continue operation on these frequencies on condition that no harmful interference is caused to broadcast remote pickup stations.

(8) Operation on the frequencies 166.25 MHz and 170.15 MHz is not authorized: (i) Within the area bounded on the west by the Mississippi River, on the north by the parallel of latitude 37 degrees 30 minutes N., and radius equal to the air-line distance between Springfield, Ill., and Montgomery, Alabama, subtended between the foregoing west and

Federal Communications Commission

§ 74.431

north boundaries; (ii) Within 150 miles (241 KM) of New York City; and, (iii) In Alaska or outside the continental United States; and is subject to the condition that no harmful interference is caused radio stations in the band 162–174 MHz.

(9) The use of these frequencies is limited to operational communications, including tones for signaling and for remote control and automatic transmission system control and telemetry.

(f) License applicants shall request assignment of only those channels, both in number and bandwidth, necessary for satisfactory operation and for which the system is equipped to operate. However, it is not necessary that each transmitter within a system be equipped to operate on all frequencies authorized to that licensee.

(g) Remote pickup stations or systems will not be granted exclusive channel assignments. The same channel or channels may be assigned to other licensees in the same area. When such sharing is necessary, the provisions of § 74.403 shall apply.

(h) Each authorization for a new broadcast remote pickup station or system shall require the use of type accepted equipment.

[49 FR 45158, Nov. 15, 1984, as amended at 51 FR 32089, Sept. 9, 1986]

§ 74.403 Frequency selection to avoid interference.

(a) Where two or more remote pickup broadcast station licensees are authorized to operate on the same frequency or group of frequencies in the same area and when simultaneous operation is contemplated, the licensees shall endeavor to select frequencies or schedule operation in such manner as to avoid mutual interference. If mutual agreement to this effect cannot be reached the Commission shall be notified and it will specify the frequency or frequencies on which each station is to be operated.

(b) The following order of priority of transmissions shall be observed on all frequencies except those listed in § 74.402 (a)(3), (a)(7) and (a)(8):

(1) Communications during an emergency or pending emergency directly related to the safety of life and property.

(2) Program material to be broadcast.

(3) Cues, orders, and other related communications immediately necessary to the accomplishment of a broadcast.

(4) Operational communications.

(5) Tests or drills to check the performance of stand-by or emergency circuits.

§ 74.431 Special rules applicable to remote pickup stations.

(a) Remote pickup mobile stations may be used for the transmission of material from the scene of events which occur outside the studio back to studio or production center. The transmitted material shall be intended for the licensee's own use and may be made available for use by any other broadcast station or cable system.

(b) Remote pickup mobile or base stations may be used for communications related to production and technical support of the remote program. This includes cues, orders, dispatch instructions, frequency coordination, establishing microwave links, and operational communications. Operational communications are alerting tones and special signals of short duration used for telemetry or control.

(c) Remote pickup mobile or base stations may communicate with any other station licensed under this subpart.

(d) Remote pickup mobile stations may be operated as a vehicular repeater to relay program material and communications between stations licensed under this subpart. Precautions shall be taken to avoid interference to other stations and the vehicular repeater shall only be activated by hand-carried or pack-carried units.

(e) The output of hand-carried or pack-carried transmitter units used with a vehicular repeater is limited to 2.5 watts. The output of a vehicular repeater transmitter used as a talkback unit on an additional frequency is limited to 2.5 watts.

(f) Remote pickup base and mobile stations in Alaska, Guam, Hawaii, Puerto Rico, and the Virgin Islands may be used for any purpose related to the programming or technical operation of a broadcasting station, except for transmission intended for direct reception by the general public.

(g) A broadcast licensee eligible for "short-term operation" under § 74.24, may operate RPU base or mobile stations under the authorization of the Part 73 license for an indefinite period

upon filing an application for auxiliary operation with the Commission and subject to the conditions of § 74.24 (a), (b), (e), (f), (h), (i), and to the conditions set forth below:

(1) The auxiliary station is located within 50 miles (80 km) of the broadcast studio or broadcast transmitter.

(2) The applicant must coordinate the operation with all affected co-channel and adjacent channel licensees in the area of operation. This requirement can be satisfied by coordination with the local frequency committee if one exists.

(3) Such operation shall be suspended immediately upon notification from the Commission or by the Engineer in Charge (EIC) of the Commission's local field office, and shall not be resumed until specific authority is given by the Commission or EIC. When authorized by the EIC, short test operations may be made.

(4) Operation under this provision is not permitted between 152.87 MHz and 153.35 MHz.

(h) In the event that normal aural studio to transmitter circuits are damaged, stations licensed under Subpart D may be used to provide temporary circuits for a period not exceeding 30 days without further authority from the Commission necessary to continue broadcasting.

(i) Remote pickup mobile or base stations may be used for activities associated with the Emergency Broadcast System and similar emergency survival communications systems. Drills and tests are also permitted on these stations, but the priority requirements of § 74.403(b) must be observed in such cases.

[51 FR 4602, Feb. 6, 1986]

§ 74.432 Licensing requirements and procedures.

(a) A license for a remote pickup station will be issued to: the licensee of an AM, FM, noncommercial FM, TV, international broadcast or low power TV station; broadcast network-entity; or cable network-entity.

(b) Base stations may operate as automatic relay stations on the frequencies listed in § 74.402(a) (6) and (8) under the provisions of § 74.436, however, one licensee may not operate

such stations on more than two frequencies in a single area.

(c) Base stations may use voice communications between the studio and transmitter or points of any intercity relay system on frequencies in Groups I and J.

(d) Base stations may be authorized to establish standby circuits from places where official broadcasts may be made during times of emergency and circuits to interconnect an emergency survival communications system.

(e) In Alaska, Guam, Hawaii, Puerto Rico, and the Virgin Islands, base stations may provide program circuits between the studio and transmitter or to relay programs between broadcasting stations. A base station may be operated unattended in accordance with the following:

(1) The station must be designed, installed, and protected so that the transmitter can only be activated or controlled by persons authorized by the licensee.

(2) The station must be equipped with circuits to prevent transmitter operation when no signal is received from the station which it is relaying.

(f) Remote pickup stations may use only those frequencies and bandwidths which are necessary for operation.

(g) An application for a remote pickup broadcast station or system shall specify the broadcasting station or stations (where more than one broadcasting station is specified, all such broadcasting stations shall be licensed to the applicant and to the same community) with which the remote pickup broadcast facility is to be principally used and the licensed area of operation for a system which includes mobile stations shall be the area considered to be served by the associated broadcasting station or stations. Mobile stations may be operated outside the licensed area of operation pursuant to § 74.431(d). Where the applicant for remote pickup broadcast facilities is the licensee of more than one class of broadcasting station (AM, FM, TV), all licensed to the same community, designation of one or more such stations as the associated broadcasting station or stations will not preclude use of the remote pickup broadcast facilities with

Federal Communications Commission

§ 74.433

those broadcasting stations not included in the designation and such additional use shall be at the discretion of the licensee.

(h) In cases where a series of broadcasts are to be made from the same location, portable or mobile transmitters may be left at such location for the duration of the series of broadcasts: *Provided*, The transmitting apparatus is properly secured so that it may not be operated by unauthorized persons when unattended. Prior Commission authority shall be obtained for the installation of any transmitting antenna which requires notification to the FAA, pursuant to §17.7 of the Commission's rules and regulations, and which will be in existence for more than 2 days.

(i) The location of each remote pickup broadcast base station will be specified in the station or system license and such stations may not be operated at any other location without prior authority of the Commission.

(j) The license shall be retained in the licensee's files at the address shown on the authorization, posted at the transmitter, or posted at the control point of the station.

(k) In the case of permanent discontinuance of operation of a station or system licensed under this subpart, the licensee shall forward the station or system license to the FCC at Federal Communications Commission, 1270 Fairfield Road, Gettysburg, Pennsylvania 17325 for cancellation. For purposes of this section, a station which is not operated for a period of one year is considered to have been permanently discontinued.

NOTE: Licensees of remote pickup broadcast stations licensed prior to August 31, 1976, should not file applications to consolidate individually licensed transmitters under a single system license until the renewal application of the associated broadcast station is filed. Applications filed between August 31, 1976, and the date of filing of the renewal applications to obtain authorization to use additional transmitters or modification of existing stations shall be restricted to a single system application necessary to accomplish the desired change, but may include consolidation of previously-licensed transmitters within the system license. Applications submitted for system licensing prior to the time when renewal applications would normally be filed which are

unnecessary for either administrative or operational purposes will be returned as unacceptable for filing.

(Sec. 5, 48 Stat. 1068; 47 U.S.C. 155)

[41 FR 29686, July 19, 1976, as amended at 42 FR 2071, Jan. 10, 1977; 47 FR 21496, May 18, 1982; 49 FR 14509, Apr. 12, 1984; 51 FR 4602, Feb. 6, 1986; 58 FR 19775, Apr. 16, 1993; 60 FR 55482, Nov. 1, 1995]

§ 74.433 Temporary authorizations.

(a) Special temporary authority may be granted for remote pickup station operation which cannot be conducted in accordance with §74.24. Such authority will normally be granted only for operations of a temporary nature. Where operation is seen as likely on a continuing annual basis, an application for a regular authorization should be submitted.

(b) A request for special temporary authority for the operation of a remote pickup broadcast station may be made by informal application, which shall be filed with the Commission at least 10 days prior to the date of the proposed operation: *Provided*, That, an application filed within less than 10 days of the proposed operation may be accepted upon a satisfactory showing of the reasons for the delay in submitting the request.

(c) An informal request for special temporary authority requiring payment of a fee shall be addressed to the FCC at Federal Communications Commission, Broadcast Auxiliary Radio Services, P.O. Box 358700, Pittsburgh, PA 15251-5700. An informal request for special temporary authority not requiring payment of a fee shall be addressed to the FCC at Federal Communications Commission, 1270 Fairfield Road, Gettysburg, Pennsylvania 17325. All requests must include full particulars including: Licensee's name, call letters of associated broadcast station or stations, name and address of individual designated to receive return authorization, call letters of remote pickup station, if assigned, type and manufacturer of equipment, power output, emission, frequency or frequencies proposed to be used, commencement and termination date, location of operation and purpose for which request is made including any particular justification.

§ 74.434

(d) A request for special temporary authority shall specify a frequency or frequencies consistent with the provisions of § 74.402: *Provided*, That, in the case of events of wide-spread interest and importance which cannot be transmitted successfully on these frequencies, frequencies assigned to other services may be requested upon a showing that operation thereon will not cause interference to established stations: *And provided further*, In no case will operation of a remote pickup broadcast station be authorized on frequencies employed for the safety of life and property.

(e) The user shall have full control over the transmitting equipment during the period it is operated.

(f) Special temporary authority to permit operation of remote pickup broadcast stations or systems pending Commission action on an application for regular authority will not normally be granted.

[41 FR 29686, July 19, 1976, as amended at 47 FR 9220, Mar. 4, 1982; 47 FR 55936, Dec. 14, 1982; 50 FR 23709, June 5, 1985; 58 FR 19775, Apr. 16, 1993]

§ 74.434 Remote control operation.

(a) A remote control system must provide adequate monitoring and control functions to permit proper operation of the station.

(b) A remote control system must be designed, installed, and protected so that the transmitter can only be activated or controlled by persons authorized by the licensee.

(c) A remote control system must prevent inadvertent transmitter operation caused by malfunctions in the circuits between the control point and transmitter.

[51 FR 4602, Feb. 6, 1986, as amended at 60 FR 55482, Nov. 1, 1995]

§ 74.436 Special requirements for automatic relay stations.

(a) An automatic relay station must be designed, installed, and protected so that the transmitter can only be activated or controlled by persons authorized by the licensee.

(b) An automatic relay station may accomplish retransmission of the incoming signals by either heterodyne frequency conversion or by modulating

47 CFR Ch. I (10–1–99 Edition)

the transmitter with the demodulated incoming signals.

(c) An automatic relay station transmitter may relay the demodulated incoming signals from one or more receivers.

[51 FR 4602, Feb. 6, 1986, as amended at 60 FR 55483, Nov. 1, 1995]

§ 74.451 Certification of equipment.

(a) Applications for new remote pickup broadcast stations or systems or for changing transmitting equipment of an existing station will not be accepted unless the transmitters to be used have been certificated by the FCC pursuant to the provisions of this subpart, or have been certificated for licensing under parts 21 or 90 of the FCC rules and do not exceed the output power limits specified in § 74.461(b).

(b) Any manufacturer of a transmitter to be used in this service may apply for certification for such transmitter following the certification procedure set forth in part 2 of the Commission's rules and regulations. Attention is also directed to part 1 of the Commission's rules and regulations which specifies the fees required when filing an application for certification.

(c) An applicant for a remote pickup broadcast station or system may also apply for certification for an individual transmitter by following the certification procedure set forth in part 2 of the Commission's rules and regulations.

(d) All transmitters marketed for use under this subpart shall be certificated by the Federal Communications Commission. (Refer to subpart J of part 2 of the Commission's Rules and Regulations.)

(e) Remote pickup broadcast station equipment authorized to be used pursuant to an application accepted for filing prior to December 1, 1977, may continue to be used by the licensee or its successors or assignees: *Provided, however*, If operation of such equipment causes harmful interference due to its failure to comply with the technical standards set forth in this subpart, the Commission may, at its discretion, require the licensee to take such corrective action as is necessary to eliminate the interference.

Federal Communications Commission

§ 74.462

(f) Each instrument of authority which permits operation of a remote pickup broadcast station or system using equipment which has not been certificated will specify the particular transmitting equipment which the licensee is authorized to use.

(Sec. 5, 48 Stat. 1068; 47 U.S.C. 155)

[41 FR 29686, July 19, 1976, as amended at 42 FR 14728, Mar. 16, 1977; 42 FR 43636, Aug. 30, 1977; 43 FR 14661, Apr. 7, 1978; 45 FR 28142, Apr. 28, 1980; 63 FR 36604, July 7, 1998]

§ 74.452 Equipment changes.

(a) Prior Commission approval is required for any change in the overall height of an antenna structure, except where notice to the Federal Aviation Administration is specifically not required under § 17.14(b) of the Commission's rules and regulations.

(b) The licensee of a remote pickup broadcast station may, except as set forth in paragraph (d) of this section, make any other changes in the equipment that are deemed desirable or necessary, including replacement with certificated equipment, without prior Commission approval: *Provided*, The proposed changes will not depart from any of the terms of the station or system authorization or the Commission's technical rules governing this service: *And provided further*, That any changes made to certificated transmitting equipment shall be in compliance with the provisions of Part 2 of the Commission's rules and regulations concerning modification to certificated equipment.

(c) The FCC at Federal Communications Commission, Broadcast Auxiliary Radio Services, 1270 Fairfield Road, Gettysburg, Pennsylvania 17325 shall be promptly notified of any equipment changes made pursuant to paragraph (b) of this section.

(d) All transmitters initially installed after November 30, 1977, must be certificated for use in this service or other services as specified in § 74.451(a).

(Sec. 5, 48 Stat. 1068; 47 U.S.C. 155)

[41 FR 29686, July 19, 1976, as amended at 42 FR 14728, Mar. 16, 1977; 42 FR 43636, Aug. 30, 1977; 43 FR 14662, Apr. 7, 1978; 47 FR 54448, Dec. 3, 1982; 58 FR 19775, Apr. 16, 1993; 63 FR 36604, July 7, 1998]

§ 74.461 Transmitter power.

(a) Transmitter power is the power at the transmitter output terminals and delivered to the antenna, antenna transmission line, or any other impedance-matched, radio frequency load. For the purpose of this Subpart, the transmitter power is the carrier power.

(b) The authorized transmitter power for a remote pickup broadcast station shall be limited to that necessary for satisfactory service and, in any event, shall not be greater than 100 watts, except that a station to be operated aboard an aircraft shall normally be limited to a maximum authorized power of 15 watts. Specific authorization to operate stations on board aircraft with an output power exceeding 15 watts will be issued only upon an adequate engineering showing of need, and of the procedures that will be taken to avoid harmful interference to other licensees.

(Sec. 5, 48 Stat. 1068; 47 U.S.C. 155)

[41 FR 29686, July 19, 1976, as amended at 43 FR 14662, Apr. 7, 1978]

§ 74.462 Authorized bandwidth and emissions.

(a) Each authorization for a new remote pickup broadcast station or system issued pursuant to an application accepted after (one year following the effective date of these rules) shall require the use of certificated equipment and such equipment shall be operated in accordance with emission specifications included in the certificated grant and as prescribed in paragraphs (b), (c), and (d) of this section.

(b) The maximum authorized bandwidth of emissions corresponding to the types of emissions specified below, and the maximum authorized frequency deviation in the case of frequency or phase modulated emission, shall be as follows:

Frequencies (megahertz)	Authorized band-width ¹ (kilohertz)	Maximum frequency deviation ² (kilohertz)	Type of emission ^{3,4}
25.87 to 26.03	40	10	A3, F3, F3Y, F9
26.07 to 26.47	20	5	A3, F3, F3Y, F9
152.87 to 153.35 ⁵	30/60	5/10	A3, F3, F3Y, F9
160.89 to 161.37	60	10	A1, A2, A3, F1, F2, F3, F3Y, F9
161.64 to 161.76	30	5	A1, A2, A3, F1, F2, F3, F3Y, F9
166.25 to 170.15	25	5	A1, A2, A3, F1, F2, F3, F3Y, F9
450 to 455.99 (10 kHz channels)	10	1.5	A1, A2, A3, F1, F2, F3, F9
450.0875 to 455.6125 (25 kHz channels)	25	5	A1, A2, A3, F1, F2, F3, F3Y, F9
450.05 to 455.85 (50 kHz channels)	50	10	A1, A2, A3, F1, F2, F3Y, F9
450.925 and 455.925 (100 kHz channels)	100	35	A1, A2, A3, F1, F2, F3, F3Y, F9

¹Notwithstanding the authorized bandwidths shown in the table, not more than 20 kHz bandwidth will be authorized in the case of F3Y emission.

²Applies where class F1, F2, F3, or F9 emission is used.

³Stations operating above 450 MHz shall show a need for employing A1, A2, F1, or F2 emission.

⁴The emission designators shown in the table no longer conform to those contained in subpart C of part 2 of the Commission's Rules and Regulations. They will be so-conformed after necessary modifications to broadcast auxiliary application processing programs are completed. For transmitting equipment which is certificated, emission designators will appear in the Commission's database. Equipment approved for emissions contained in subpart C of part 2 may be used by part 74 stations if their emissions are equivalent to the previous emission designators shown in the table.

⁵New or modified licenses for use of the frequencies will not be granted to utilize transmitters on board aircraft, or to use a bandwidth in excess of 3 kHz and maximum deviation exceeding 5 kHz.

(c) The mean power of emissions shall be attenuated below the mean output power of the transmitter in accordance with the following schedule:

(1) On any frequency removed from the assignment frequency by more than 50 percent up to and including 100 percent of the authorized bandwidth: at least 25 dB;

(2) On any frequency removed from the assigned frequency by more than 100 percent up to and including 250 percent of the authorized bandwidth: at least 35 dB;

(3) On any frequency removed from the assigned frequency by more than 250 percent on the authorized bandwidth; at least 43 plus 10 log₁₀ (mean output power, in watts) dB.

(d) In the event a station's emissions outside its authorized channel cause harmful interference, the Commission may, at its discretion, require the licensee to take such further steps as may be necessary to eliminate the interference.

(e) The maximum authorized bandwidth for stations operating on 1606, 1622, or 1646 kHz shall be 10 kHz and operations on these frequencies shall be limited to A3 emission only.

(f) For those transmitters using the F3Y emission and operating in the frequency range between 25.87 MHz and 170.15 MHz, the power of any emission shall be attenuated below the unmodulated carrier power (P) in accordance with the following schedule:

(1) On any frequency removed from the center of the authorized bandwidth by a displacement frequency (F_d in kHz) of more than 5 kHz, up to and including 10 kHz: At least 83 Log₁₀ (F_d/5) decibels;

(2) On any frequency removed from the center of the authorized bandwidth by a displacement frequency (F_d in kHz) of more than 10 kHz, up to and including 250 percent of the authorized bandwidth: At least 29 Log₁₀ ((F_d)exp2/11) decibels or 50 decibels, whichever is the lesser attenuation.

(3) On any frequency removed from the center of the authorized bandwidth by more than 250 percent of the authorized bandwidth: At least 43 plus 10 Log₁₀ (output power in watts) decibels or 80 decibels, whichever is the lesser attenuation.

(g) For those transmitters using the F3Y emission and operating in the frequency range between 450.01 MHz and 455.925 MHz, the power of any emission shall be attenuated below the unmodulated carrier power (P) in accordance with the following schedule:

(1) On any frequency removed from the center of the authorized bandwidth by a displacement frequency (F_d in kHz) of more than 5 kHz, up to and including 10 kHz: At least 83 Log₁₀ (F_d/5) decibels;

(2) On any frequency removed from the center of the authorized bandwidth by a displacement frequency (F_d in

Federal Communications Commission

§ 74.482

kHz) of more than 10 kHz, up to and including 250 percent of the authorized bandwidth: At least $116 \log_{10} (F_d/6.1)$ decibels or 70 decibels, whichever is the lesser attenuation.

(3) On any frequency removed from the center of the authorized bandwidth by more than 250 percent of the authorized bandwidth: At least $43 + 10 \log_{10}$ (output power in watts) decibels or 80 decibels, whichever is the lesser attenuation.

NOTE: The measurements of emission power can be expressed in peak or mean values provided they are expressed in the same parameters as the unmodulated transmitter carrier power.

(Sec. 5, 48 Stat. 1068; 47 U.S.C. 155)

[41 FR 29686, July 19, 1976, as amended at 41 FR 32429, Aug. 3, 1976; 41 FR 35068, Aug. 19, 1976; 43 FR 14662, Apr. 7, 1978; 43 FR 38391, Aug. 28, 1978; 44 FR 65765, Nov. 15, 1979; 56 FR 28498, June 21, 1991; 63 FR 36604, July 7, 1998]

§ 74.463 Modulation requirements.

(a) Each new remote pickup broadcast station authorized to operate with a power output in excess of 3 watts shall be equipped with a device which will automatically prevent modulation in excess of the limits set forth in this subpart.

(b) If amplitude modulation is employed, modulation shall not exceed 100 percent on negative peaks.

(c) If frequency modulation is employed, emission shall conform to the requirements specified in § 74.462.

[41 FR 29686, July 19, 1976, as amended at 47 FR 54448, Dec. 3, 1982]

§ 74.464 Frequency tolerance.

The licensee of a remote pickup broadcast station or system shall maintain the operating frequency of each such station in accordance with the following:

Frequency range	Tolerance (percent)	
	Base station	Mobile station
1.6 to 2 MHz:		
200 W or less	0.01	0.02
Over 200 W ¹ .....	.005	.02
25 to 30 MHz:		
3 W or less .....	.002	.005
Over 3 W .....	.002	.002
30 to 300 MHz:		
3 W or less .....	.0005	.005
Over 3 W .....	.0005	.0005

Frequency range	Tolerance (percent)	
	Base station	Mobile station
300 to 500 MHz, all powers .....	.00025	.0005

¹The listing of tolerances for power over 200 W is in accordance with treaty values and shall not be construed as a finding that such power will be authorized.

(Secs. 4, 5, 303, 48 Stat., as amended, 1066, 1068, 1082 (47 U.S.C. 154, 155, 303))

[41 FR 29686, July 19, 1976, as amended at 42 FR 2071, Jan. 10, 1977; 43 FR 38391, Aug. 28, 1978; 44 FR 65765, Nov. 15, 1979]

§ 74.465 Frequency monitors and measurements.

The licensee of a remote pickup station or system shall provide the necessary means to assure that all operating frequencies are maintained within the allowed tolerances.

[51 FR 4603, Feb. 6, 1986]

§ 74.482 Station identification.

(a) Each remote pickup broadcast station shall be identified by the transmission of the assigned station or system call sign, or by the call sign of the associated broadcast station. For systems, the licensee (including a part 73-only licensee where operation takes place pursuant to § 74.24) shall assign a unit designator to each station in the system. The call sign (and unit designator, where appropriate) shall be transmitted at the beginning and end of each period of operation. A period of operation may consist of a single continuous transmission, or a series of intermittent transmissions pertaining to a single event.

(b) In cases where a period of operation is of more than one hour duration identification of remote pickup broadcast stations participating in the operation shall be made at approximately one-hour intervals. Identification transmissions during operation need not be made when to make such transmissions would interrupt a single consecutive speech, play, religious service, symphony, concert, or any type of production. In such cases, the identification transmissions shall be made at the first interruption in the program continuity and at the conclusion thereof. Hourly identification may be accomplished either by transmission

§ 74.501

of the station or system call sign and unit designator assigned to the individual station or identification of an associated broadcasting station or network with which the remote pickup broadcast station is being used.

(c) In cases where an automatic relay station is a part of the circuit, the call sign of the relay transmitter may be transmitted automatically by the relay transmitter or by the remote pickup broadcast base or mobile station that actuates the automatic relay station.

(d) Automatically activated equipment may be used to transmit station identification in International Morse Code, provided that the modulation tone is 1200 Hz \pm 800 Hz, the level of modulation of the identification signal is maintained at 40% \pm 10%, and that the code transmission rate is maintained between 20 and 25 words per minute.

(e) For stations using the F3Y emission, identification shall be transmitted in the unscrambled analog (F3) mode or in International Morse Code pursuant to the provisions of (d) of this section at intervals not to exceed 15 minutes. For purposes of rule enforcement, all licensees using F3Y emissions shall provide, upon request by the Commission, a full and complete description of the encoding methodology they currently use.

NOTE: Stations are encouraged to identify using their associated part 73 station call sign.

[41 FR 29686, July 19, 1976, as amended at 47 FR 9220, Mar. 4, 1982; 52 FR 47569, Dec. 15, 1987; 56 FR 28499, June 21, 1991]

Subpart E—Aural Broadcast Auxiliary Stations

§ 74.501 Classes of aural broadcast auxiliary stations.

(a) *Aural broadcast STL station.* A fixed station for the transmission of aural program material between the studio and the transmitter of a broadcasting station other than an international broadcasting station.

(b) *Aural broadcast intercity relay (ICR) station.* A fixed station for the transmission of aural program material between radio broadcast stations, other than international broadcast stations, between FM radio broadcast sta-

47 CFR Ch. I (10–1–99 Edition)

tions and their co-owned FM booster stations, between noncommercial educational FM radio stations and their co-owned noncommercial educational FM translator stations assigned to reserved channels (Channels 201 to 220), between FM radio stations and FM translator stations operating within the coverage contour of their primary stations, or for such other purposes as authorized in § 74.531.

(c) *Aural broadcast microwave booster station.* A fixed station in the broadcast auxiliary service that receives and amplifies signals of an aural broadcast STL or intercity relay station and retransmits them on the same frequency.

[28 FR 13716, Dec. 14, 1963, as amended at 49 FR 7129, Feb. 27, 1984; 53 FR 4169, Feb. 12, 1988; 55 FR 50692, Dec. 10, 1990; 57 FR 41111, Sept. 9, 1992]

§ 74.502 Frequency assignment.

(a) Except as provided in US 302, broadcast auxiliary stations licensed as of November 21, 1984, to operate in the band 942–944 MHz¹ may continue to operate on a co-equal primary basis to other stations and services operating in the band in accordance with the Table of Frequency Allocations. These stations will be protected from possible interference caused by new users of the band by the technical standards specified in § 94.63(d)(3).

(b) The frequency band 944–952 MHz is available for assignment to aural STL and ICR stations. AM and FM broadcast stations shall have primary use of the band; however, TV broadcast stations may be licensed on a secondary, noninterference basis. One or more of the following 25 kHz segments may be stacked to form a channel which may be assigned with a maximum authorized bandwidth of 300 kHz except as noted below. The channel, will be assigned by its center frequency, channel bandwidth, and emission designator. The following frequencies are the centers of each segment:

¹NOTE: In addition to this band, stations in Puerto Rico may continue to be authorized on 942.5, 943.0, 943.5, 944.0 MHz in the band 942–944 MHz on a primary basis to stations and services operating in accordance with the Table of Frequency Allocations.

Federal Communications Commission

\$ 74.502

944.0125, 944.0375, 944.0625, 944.0875, 944.1125,
 944.1375, 944.1625, 944.1875, 944.2125, 944.2375,
 944.2625, 944.2875, 944.3125, 944.3375, 944.3625,
 944.3875, 944.4125, 944.4375, 944.4625, 944.4875,
 944.5125, 944.5375, 944.5625, 944.5875, 944.6125,
 944.6375, 944.6625, 944.6875, 944.7125, 944.7375,
 944.7625, 944.7875, 944.8125, 944.8375, 944.8625,
 944.8875, 944.9125, 944.9375, 944.9625, 944.9875,
 945.0125, 945.0375, 945.0625, 945.0875, 945.1125,
 945.1375, 945.1625, 945.1875, 945.2125, 945.2375,
 945.2625, 945.2875, 945.3125, 945.3375, 945.3625,
 945.3875, 945.4125, 945.4375, 945.4625, 945.4875,
 945.5125, 945.5375, 945.5625, 945.5875, 945.6125,
 945.6375, 945.6625, 945.6875, 945.7125, 945.7375,
 945.7625, 945.7875, 945.8125, 945.8375, 945.8625,
 945.8875, 945.9125, 945.9375, 945.9625, 945.9875,
 946.0125, 946.0375, 946.0625, 946.0875, 946.1125,
 946.1375, 946.1625, 946.1875, 946.2125, 946.2375,
 946.2625, 946.2875, 946.3125, 946.3375, 946.3625,
 946.3875, 946.4125, 946.4375, 946.4625, 946.4875,
 946.5125, 946.5375, 946.5625, 946.5875, 946.6125,
 946.6375, 946.6625, 946.6875, 946.7125, 946.7375,
 946.7625, 946.7875, 946.8125, 946.8375, 946.8625,
 946.8875, 946.9125, 946.9375, 946.9625, 946.9875,
 947.0125, 947.0375, 947.0625, 947.0875, 947.1125,
 947.1375, 947.1625, 947.1875, 947.2125, 947.2375,
 947.2625, 947.2875, 947.3125, 947.3375, 947.3625,
 947.3875, 947.4125, 947.4375, 947.4625, 947.4875,
 947.5125, 947.5375, 947.5625, 947.5875, 947.6125,
 947.6375, 947.6625, 947.6875, 947.7125, 947.7375,
 947.7625, 947.7875, 947.8125, 947.8375, 947.8625,
 947.8875, 947.9125, 947.9375, 947.9625, 947.9875,
 948.0125, 948.0375, 948.0625, 948.0875, 948.1125,
 948.1375, 948.1625, 948.1875, 948.2125, 948.2375,
 948.2625, 948.2875, 948.3125, 948.3375, 948.3625,
 948.3875, 948.4125, 948.4375, 948.4625, 948.4875,
 948.5125, 948.5375, 948.5625, 948.5875, 948.6125,
 948.6375, 948.6625, 948.6875, 948.7125, 948.7375,
 948.7625, 948.7875, 948.8125, 948.8375, 948.8625,
 948.8875, 948.9125, 948.9375, 948.9625, 948.9875,
 949.0125, 949.0375, 949.0625, 949.0875, 949.1125,
 949.1375, 949.1625, 949.1875, 949.2125, 949.2375,
 949.2625, 949.2875, 949.3125, 949.3375, 949.3625,
 949.3875, 949.4125, 949.4375, 949.4625, 949.4875,
 949.5125, 949.5375, 949.5625, 949.5875, 949.6125,
 949.6375, 949.6625, 949.6875, 949.7125, 949.7375,
 949.7625, 949.7875, 949.8125, 949.8375, 949.8625,
 949.8875, 949.9125, 949.9375, 949.9625, 949.9875,
 950.0125, 950.0375, 950.0625, 950.0875, 950.1125,
 950.1375, 950.1625, 950.1875, 950.2125, 950.2375,
 950.2625, 950.2875, 950.3125, 950.3375, 950.3625,
 950.3875, 950.4125, 950.4375, 950.4625, 950.4875,
 950.5125, 950.5375, 950.5625, 950.5875, 950.6125,
 950.6375, 950.6625, 950.6875, 950.7125, 950.7375,
 950.7625, 950.7875, 950.8125, 950.8375, 950.8625,
 950.8875, 950.9125, 950.9375, 950.9625, 950.9875,
 951.0125, 951.0375, 951.0625, 951.0875, 951.1125,
 951.1375, 951.1625, 951.1875, 951.2125, 951.2375,
 951.2625, 951.2875, 951.3125, 951.3375, 951.3625,
 951.3875, 951.4125, 951.4375, 951.4625, 951.4875,
 951.5125, 951.5375, 951.5625, 951.5875, 951.6125,
 951.6375, 951.6625, 951.6875, 951.7125, 951.7375,
 951.7625, 951.7875, 951.8125, 951.8375, 951.8625,
 951.8875, 951.9125, 951.9375, 951.9625, 951.9875.

(1) A single authorized station may be authorized up to a maximum of twenty

segments (500 kHz total bandwidth) for transmission of program material between a single origin and one or more designations. The station may lease excess capacity for broadcast and other uses on a secondary basis, subject to availability of spectrum for broadcast use. However, an FM station licensed for twelve or fewer segments (300 kHz total bandwidth) or an AM station licensed for eight or fewer segments (200 kHz total bandwidth) may lease excess capacity for broadcast and other uses on a primary basis.

(2) An applicant (new or modification of existing license) may assume the cost of replacement of one or more existing licensees equipment with narrowband equipment of comparable capabilities and quality in order to make available spectrum for its facilities. Existing licensees must accept such replacement without cost to them except upon a showing that the replacement equipment does not meet the capability or quality requirements.

(c) The frequency bands 18,760–18,820 and 19,100–19,160 MHz are available for assignment to aural broadcast STL and intercity relay stations and are shared on a co-primary basis with other fixed services under Parts 21, 78 and 94 of the Commission's rules.

(1) 5 MHz maximum authorized bandwidth channels:

Transmit (receive) (MHz)	Receive (transmit) (MHz)
340 MHz Separation	
18762.5	19102.5
18767.5	19107.5
18772.5	19112.5
18777.5	19117.5
18782.5	19122.5
18787.5	19127.5
18792.5	19132.5
18797.5	19137.5
18802.5	19142.5
18807.5	19147.5
18812.5	19152.5
18817.5	19157.5

Applicants may use either a two-way link or one frequency of a frequency pair for a one-way link and shall coordinate proposed operations pursuant to the procedures required in § 21.100(d).

(2) [Reserved]
 (d) [Reserved]

(e) The use of the frequencies listed in paragraph (b) of this section by aural broadcast intercity relay stations is subject to the condition that no harmful interference is caused to other classes of stations operating in accordance with the Table of Frequency Allocations contained in § 2.106 of this chapter.

[28 FR 13716, Dec. 14, 1963, as amended at 48 FR 50332, Nov. 1, 1983; 49 FR 37777, Sept. 26, 1984; 50 FR 4658, Feb. 1, 1985; 50 FR 7341, Feb. 22, 1985; 50 FR 34150, Aug. 23, 1985; 50 FR 48600, Nov. 26, 1985; 54 FR 10329, Mar. 13, 1989; 54 FR 24905, June 12, 1989; 54 FR 30043, July 18, 1989]

§ 74.503 Frequency selection.

(a) Each application for a new station or change in an existing station shall be specific with regard to frequency. In general, the lowest suitable frequency will be assigned which, on an engineering basis, will not cause harmful interference to other stations operating in accordance with existing frequency allocations.

(b) Where it appears that interference may result from the operation of a new station or a change in the facilities of an existing station, the Commission may require a showing that harmful interference will not be caused to existing stations or that if interference will be caused the need for the proposed service outweighs the loss of service due to the interference.

[28 FR 13716, Dec. 14, 1963]

§ 74.531 Permissible service.

(a) An aural broadcast STL station is authorized to transmit aural program material between the studio and transmitter location of a broadcasting station, except an international broadcasting station, for simultaneous or delayed broadcast.

(b) An aural broadcast intercity relay station is authorized to transmit aural program material between broadcasting stations, except international broadcasting stations, for simultaneous or delayed broadcast.

(c) An aural broadcast intercity relay station is authorized to transmit aural program material between noncommercial educational FM radio stations and their co-owned noncommercial educational FM translator stations assigned to reserved channels (Channels

201 to 220) and between FM radio stations and FM translator stations operating within the coverage contour of their primary stations. This use shall not interfere with or otherwise preclude use of these broadcast auxiliary facilities by broadcast auxiliary stations transmitting aural programming between broadcast stations as provided in paragraph (b) of this section.

(d) An aural broadcast STL or intercity relay may be used to transmit material between an FM broadcast radio station and an FM booster station owned, operated, and controlled by the licensee of the originating FM radio station. This use shall not interfere with or otherwise preclude use of these broadcast auxiliary facilities by broadcast auxiliary stations transmitting aural programming between the studio and transmitter location of a broadcast station or between broadcast stations as provided in paragraphs (a) and (b) of this section.

(e) An aural broadcast microwave booster station is authorized to retransmit the signals of an aural broadcast STL or intercity relay station.

(f) Multiplexing of the STL or intercity relay transmitter may be employed to provide additional communication channels for the transmission of aural program material, news-wire teleprinter signals relaying news to be associated with main channel programming, operational communications, and material authorized to be transmitted over an FM station under a valid Subsidiary Communications Authorization (SCA). An aural broadcast STL or intercity relay station may not be operated solely for the transmission of operational, teleprinter or subsidiary communications. Operational communications include cues, orders, and other communications directly related to the operation of the broadcast station as well as special signals used for telemetry or the control of apparatus used in conjunction with the broadcasting operations.

(g) All program material, including subsidiary communications, transmitted over an aural broadcast STL or intercity relay station shall be intended for use by broadcast stations owned or under common control of the licensee or licensees of the STL or

intercity relay station. Other broadcast stations may simultaneously utilize such program material with permission of the STL or intercity relay station licensee.

(h) In any case where multiplexing, is employed on an aural broadcast STL station for the simultaneous transmission of more than one aural channel, the STL transmitter must be capable of transmitting the multiple channels within the channel on which the STL station is authorized to operate and with adequate technical quality so that each broadcast station utilizing the circuit can meet the technical performance standards stipulated in the rules governing that class of broadcasting station. If multiplex operation is employed during the regular operation of the STL station, the additional circuits shall be in operation at the time that the required periodic performance measurements are made of the overall broadcasting system from the studio microphone input circuit to the broadcast transmitter output circuit.

[28 FR 13716, Dec. 14, 1963, as amended at 45 FR 51564, Aug. 4, 1980; 52 FR 31403, Aug. 20, 1987; 55 FR 50693, Dec. 10, 1990; 57 FR 41111, Sept. 9, 1992]

§ 74.532 Licensing requirements.

(a) An aural broadcast STL or an aural broadcast intercity relay station will be licensed only to the licensee or licensees of broadcast stations, other than international broadcast stations, and for use with broadcast stations owned entirely by or under common control of the licensee or licensees. An aural broadcast intercity relay station also will be licensed for use by non-commercial educational FM translator stations assigned to reserved channels (Channels 201-220) and owned and operated by their primary station, by FM translator stations operating within the coverage contour of their primary stations, and by FM booster stations.

(b) More than one aural broadcast STL or intercity relay station may be licensed to a single licensee upon a satisfactory showing that the additional stations are needed to provide different program circuits to more than one broadcast station, to provide program circuits from other studios, or to provide

one or more intermediate relay stations over a path which cannot be covered with a single station due to terrain or distance.

(c) If more than one broadcast station or class of broadcast station is to be served by a single aural broadcast auxiliary station, this information must be stated in the application for construction permit or license.

(d) Licensees of aural broadcast STL and intercity relay stations may be authorized to operate one or more aural broadcast microwave booster stations for the purpose of relaying signals over a path that cannot be covered with a single station.

NOTE: Applications for aural broadcast microwave booster stations will not be accepted for filing prior to January 1, 1985.

(e) Each aural broadcast auxiliary station will be licensed at a specified transmitter location to communicate with a specified receiving location, and the direction of the main radiation lobe of the transmitting antenna will be a term of the station authorization.

(f) In case of permanent discontinuance of operation of a station licensed under this subpart, the licensee shall forward the station license to the Federal Communications Commission, Broadcast Auxiliary Radio Services, 1270 Fairfield Road, Gettysburg, Pennsylvania 17325 for cancellation.

[28 FR 13716, Dec. 14, 1963, as amended at 49 FR 7129, Feb. 27, 1984; 49 FR 10930, Mar. 23, 1984; 52 FR 31403, Aug. 20, 1987; 55 FR 50693, Dec. 10, 1990; 57 FR 41111, Sept. 9, 1992; 58 FR 19775, Apr. 16, 1993]

§ 74.533 Remote control and unattended operation.

(a) Aural broadcast STL and intercity relay stations may be operated by remote control provided that such operation is conducted in accordance with the conditions listed below:

(1) The remote control system must provide adequate monitoring and control functions to permit proper operation of the station.

(2) The remote control system must be designed, installed, and protected so that the transmitter can only be activated or controlled by persons authorized by the licensee.

§ 74.534

(3) The remote control system must prevent inadvertent transmitter operation due to malfunctions in circuits between the control point and transmitter.

(b) Aural broadcast auxiliary stations may be operated unattended subject to the following provisions:

(1) The transmitter shall be provided with adequate safeguards to prevent improper operation of the equipment.

(2) The transmitter installation shall be adequately protected against tampering by unauthorized persons.

(3) Whenever an unattended aural broadcast auxiliary station is used, appropriate observations must be made at the receiving end of the circuit as often as necessary to ensure proper station operation. However, an aural broadcast STL (and any aural broadcast microwave booster station) associated with a radio or TV broadcast station operated by remote control may be observed by monitoring the broadcast station's transmitted signal at the remote control or ATS monitoring point.

(c) The FCC may notify the licensee to cease or modify operation in the case of frequency usage disputes, interference or similar situations where such action appears to be in the public interest, convenience and necessity.

(Sec. 318, 48 Stat. 1089, as amended by sec. 1, 74 Stat. 363; 47 U.S.C. 318)

[28 FR 13716, Dec. 14, 1963, as amended at 47 FR 55936, Dec. 14, 1982; 49 FR 7130, Feb. 27, 1984; 50 FR 32417, Aug. 12, 1985; 50 FR 48599, Nov. 26, 1985; 60 FR 55483, Nov. 1, 1995]

§ 74.534 Power limitations.

(a) for operation in the 944-952 MHz band:

Aural broadcast STL and intercity relay stations will be licensed with a power output not in excess of that necessary to render satisfactory service. The license for these stations will specify the maximum authorized power. The operating power shall not be greater than necessary to carry on the service and in no event more than 5 percent above the maximum power specified. Engineering standards have not been established for these stations. The efficiency factor for the last radio stage of transmitters employed will be

47 CFR Ch. I (10-1-99 Edition)

subject to individual determination but shall be in general agreement with values normally employed for similar equipment operated within the frequency range authorized.

(b) For stations operating in bands above 17.7 GHz, the transmitter output power shall be limited to that necessary to accomplish the function of the system. Further, the output power of a transmitter on any authorized frequency shall not exceed the following:

(1)

Frequency band (GHz)	Maximum transmitter output power (watts) ¹
17.7 to 19.7	10.0
31.0 to 31.3	0.05

¹ Peak envelope power.

(2)

Frequency band (GHz)	Maximum allowable EIRP (dBW)
17.7 to 18.6	+55.0
18.6 to 18.8	+35.0
18.8 to 19.7	+35.0
31.0 to 31.3	No limit

[50 FR 4658, Feb. 10, 1985, as amended at 50 FR 7341, Feb. 22, 1985]

§ 74.535 Emission and bandwidth.

(a) For frequency modulation, the mean power of emissions shall be attenuated below the mean transmitter power (P) in accordance with the following schedule:

(1) On any frequency removed from the assigned frequency by more than 50% and up to 100% of the authorized bandwidth: at least 25 dB.

(2) On any frequency removed from the assigned frequency by more than 100% and up to 150% of the authorized bandwidth: at least 35 dB.

(3) On any frequency removed from the assigned frequency by more than 150% of the authorized bandwidth: at least 43 + 10 Log(P) dB.

(b) For all emissions except frequency modulation, the peak power of emissions shall be attenuated below the peak envelope transmitter power (P) in accordance with the following schedule:

Federal Communications Commission**§ 74.535**

(1) On any frequency 500 Hz inside the channel edge up to and including 2500 Hz outside the same edge, the following formula will apply:

$$\text{Attenuation} = 29 \text{ Log} \left(\frac{25}{11} \left(D + 2.5 - \frac{W}{2} \right)^2 \right) \text{ dB}$$

or 50 dB whichever is the lesser attenuation. Where: D is the displacement frequency (kHz) from the center of the authorized bandwidth; and W is the channel bandwidth (kHz).

(2) On any frequency removed from the channel edge by more than 2500 Hz: At least $43 + 10 \text{ Log} (P)$ dB.

(c) In the event a station's emissions outside its authorized channel cause harmful interference, the Commission may require the licensee to take such further steps as may be necessary to eliminate the interference.

(d) For operation in the 18 GHz band: Aural broadcast STL, intercity relay stations and booster stations may be authorized to employ either digital or frequency modulation.

(e) For operation in the 18 GHz band: The mean power of emission shall be attenuated below the mean output power of the transmitter in accordance with the following schedule:

(1) When using frequency modulation:

(i) On any frequency removed from the assigned frequency by more than 50 percent up to and including 100 percent of the authorized bandwidth: At least 25 decibels;

(ii) On any frequency removed from the assigned frequency by more than 100 percent up to and including 250 percent of the authorized bandwidth: At least 35 decibels;

(iii) On any frequency removed from the assigned frequency by more than 250 percent of the authorized bandwidth: At least $43 + 10 \text{ log}_{10}$ (mean output power in watts) decibels, or 80 decibels, whichever is the lesser attenuation.

(2) When using digital modulation:

(i) In any 1 MHz band, the center frequency of which is removed from the assigned frequency by more than 50 percent up to and including 250 percent of the authorized bandwidth: As speci-

fied by the following equation but in no event less than 11 decibels.

$$A = 11 + 0.4 (P - 50) + 10 \text{ log}_{10} B$$

Where:

A = Attenuation (in decibels) below the mean output power level.

P = Percent removed from the carrier frequency.

B = Authorized bandwidth in MHz.

[Attenuation greater than 56 decibels is not required.]

(ii) In any 4 kHz band, the center frequency of which is removed from the assigned frequency by more than 250 percent of the authorized bandwidth: At least $43 + 10 \text{ log}_{10}$ (mean output power in watts) decibels, or 80 decibels, whichever is the lesser attenuation.

(f) For operation in the 18 GHz band: When an emission outside of the authorized bandwidth causes harmful interference, the Commission may, at its discretion require greater attenuation than specified above.

(g) The following limitations apply to the operation of aural broadcast microwave booster stations:

(1) The booster station must receive and amplify the signals of the originating station and retransmit them on the same frequency without significantly altering them in any way. The characteristics of the booster transmitter output signal shall meet the requirements applicable to the signal of the originating station.

(2) The licensee is responsible for correcting any condition of interference that results from the radiation of radio frequency energy outside the assigned channel. Upon notice by the FCC to the station licensee that interference is being caused, operation of the apparatus must be immediately suspended and may not be resumed until the interference has been eliminated or it

§ 74.536

47 CFR Ch. I (10–1–99 Edition)

can be demonstrated that the interference is not due to spurious emissions. However, short term test transmissions may be made during the period of suspended operation to determine the efficacy of remedial measures.

(3) In each instance where suspension of operation is required, the licensee must submit a full report to the FCC after operation is resumed. The report must contain details of the nature of the interference, the source of interfering signals, and the remedial steps taken to eliminate the interference.

[28 FR 13716, Dec. 14, 1963, as amended at 48 FR 50332, Nov. 1, 1983; 49 FR 7130, Feb. 27, 1984; 49 FR 37777, Sept. 26, 1984; 50 FR 48599, Nov. 26, 1985]

§ 74.536 Directional antenna required.

(a) Aural broadcast STL and ICR stations are required to use a directional antenna with the minimum beamwidth necessary, consistent with good engineering practice, to establish the link.

(b) An aural broadcast STL or intercity relay station operating in the 17.7–19.7 GHz band shall employ an antenna

that meets the performance standards for Category A, except that in areas not subject to frequency congestion, antennas meeting standards for Category B may be employed. However, the Commission may require the replacement, at the licensee's expense, of any antenna or periscope antenna system of a permanent fixed station that does not meet performance Standard A, which is specified in the table in paragraph (c) of this section, upon a showing that said antenna causes or is likely to cause interference to (or receive interference from) any other authorized or proposed station; provided that an antenna meeting performance Standard A is unlikely to involve such interference.

(c) Licensees shall comply with the antenna standards table shown in this paragraph in the following manner:

(1) With either the maximum beamwidth to 3 dB points requirement or with the minimum antenna gain requirement; and

(2) With the minimum radiation suppression to angle requirement.

ANTENNA STANDARDS

Frequency (GHz)	Category	Maximum beamwidth to 3 dB points ¹ (included angle in degrees)	Minimum antenna gain (dbi)	Minimum radiation suppression to angle in degrees from centerline of main beam in decibels						
				5° to 10°	10° to 15°	15° to 20°	20° to 30°	30° to 100°	100° to 140°	140° to 180°
17.7 to 19.7	A	2.2	38	25	29	33	36	42	55	55
	B	2.2	38	20	24	28	32	35	36	36
31.0 to 31.3 ²	n/a	³ 4.0	38	n/a	n/a	n/a	n/a	n/a	n/a	n/a

¹ If a licensee chooses to show compliance using maximum beamwidth to 3 dB points, the beamwidth limit shall apply in both the azimuth and the elevation planes.

² Mobile, except aeronautical mobile, stations need not comply with these standards.

³ The minimum front-to-back ratio shall be 38 dBi.

[48 FR 50333, Nov. 1, 1983, as amended at 49 FR 7130, Feb. 27, 1984; 50 FR 48599, Nov. 26, 1985; 51 FR 19840, June 3, 1986; 62 FR 4922, Feb. 3, 1997]

§ 74.537 Temporary authorizations.

(a) Special temporary authority may be granted for aural broadcast STL or intercity relay station operation which cannot be conducted in accordance with § 74.24. Such authority will normally be granted only for operations of a temporary nature. Where operation is seen as likely on a continuing annual basis, an application for a regular authorization should be submitted.

(b) A request for special temporary authorization for the operation of an aural broadcast STL or intercity relay station may be made by informal application which shall be filed with the FCC at least 10 days prior to the date of the proposed operation. However, an application filed within less than 10 days of the proposed operation may be accepted upon a satisfactory showing of the reasons for the delay in submitting the request.

(c) An informal request for special temporary authority requiring payment of a fee shall be addressed to the FCC at Federal Communications Commission, Broadcast Auxiliary Radio Services, P.O. Box 358700, Pittsburgh, PA 15251-5700. An informal request for special temporary authority not requiring payment of a fee shall be addressed to the FCC at Federal Communications Commission, Broadcast Auxiliary Radio Services, 1270 Fairfield Road, Gettysburg, Pennsylvania 17325. All requests must include full particulars including: licensee's name, call letters of the associated broadcast station(s), name and address of individual designated to receive the return authorization, call letters of the aural broadcast STL or intercity relay station, if assigned, type and manufacturer of equipment, power output, emission, frequency or frequencies proposed for use, commencement and termination date and location of the proposed operation, and purpose for which request is made including any particular justification.

(d) A request for special temporary authorization shall specify a frequency or frequencies consistent with the provisions of § 74.502. However, in the case of events of widespread interest and importance which cannot be transmitted successfully on these frequencies, frequencies assigned to other services may be requested upon a showing that operation thereon will not cause interference to established stations. In no case will operation of an aural broadcast STL or intercity relay station be authorized on frequencies employed for the safety of life or property.

(e) When the transmitting equipment utilized is not licensed to the user, the user shall nevertheless have full control over the use of the equipment during the period it is operated.

(f) Special temporary authorization to permit operation of aural broadcast STL or intercity relay stations or systems pending FCC action on an application for regular authority will normally not be granted.

[47 FR 9220, Mar. 4, 1982, as amended at 50 FR 23709, June 5, 1985; 58 FR 19775, Apr. 16, 1993]

§ 74.550 Equipment authorization.

Each authorization for aural broadcast STL, ICR, and booster stations shall require the use of equipment which has been certificated or verified. Equipment which has not been approved under the equipment authorization program and which was in service prior to July 1, 1993, may be retained solely for temporary uses necessary to restore or maintain regular service provided by approved equipment, because the main or primary unit has failed or requires servicing. Such temporary uses may not interfere with or impede the establishment of other aural broadcast auxiliary links and may not occur during more than 720 cumulative hours per year. Should interference occur, the licensee must take all steps necessary to eliminate it, up to and including cessation of operation of the auxiliary transmitter. All unapproved equipment retained for temporary use must have been in the possession of the licensee prior to July 1, 1993, and may not be obtained from other sources. Equipment designed exclusively for fixed operation shall be authorized under the verification procedure. The equipment authorization procedures are contained in subpart J of part 2 of the rules.

NOTE TO § 74.550: Consistent with the note to § 74.502(a), grandfathered equipment in the 942-944 MHz band and STL/ICR users of these frequencies in Puerto Rico are also required to come into compliance by July 1, 1993. The backup provisions described above apply to these stations also.

[63 FR 36604, July 7, 1998]

§ 74.551 Equipment changes.

(a) Prior Commission approval, upon appropriate application (FCC Form 313) therefor, is required for any of the following changes:

(1) A change in the ERP.

(2) A change in the operating frequency or channel bandwidth.

(3) A change in the location of the transmitter or transmitting antenna except when relocation of the transmitter is within the same building.

(4) Any change in the overall height of the antenna structure, except where notice to the Federal Aviation Administration is specifically not required under § 17.14(b) of this chapter.

§ 74.561

(5) Any change in the direction of the main radiation lobe of the transmitting antenna.

(b) Other equipment changes not specifically referred to in this section may be made at the discretion of the licensee, provided that the FCC at Federal Communications Commission, Broadcast Auxiliary Radio Services, 1270 Fairfield Road, Gettysburg, Pennsylvania 17325 is promptly notified in writing upon the completion of such changes, and that the changes are described in the notification.

(c) Any application proposing a change in the height of the antenna structure or its location must also include the Antenna Structure Registration Number (FCC Form 854R) of the antenna structure upon which it will locate its proposed antenna. In the event the antenna structure does not have a Registration Number, either the antenna structure owner shall file FCC Form 854 ("Application for Antenna Structure Registration") in accordance with part 17 of this chapter or the applicant shall provide a detailed explanation why registration and clearance are not necessary.

[28 FR 13716, Dec. 14, 1963, as amended at 38 FR 6827, Mar. 13, 1973; 47 FR 54448, Dec. 3, 1982; 49 FR 7130, Feb. 27, 1984; 50 FR 48599, Nov. 26, 1985; 58 FR 19775, Apr. 16, 1993; 61 FR 4368, Feb. 6, 1996]

§ 74.561 Frequency tolerance.

In the bands above 944 MHz, the operating frequency of the transmitter shall be maintained in accordance with the following table:

Frequency band (MHz)	Tolerance as percentage of assigned frequency
944 to 952	0.005
17,700 to 19,700	0.003
31,000 to 31,300	0.03

[54 FR 30043, July 18, 1989]

§ 74.562 Frequency monitors and measurements.

The licensee shall ensure that the STL, ICR, TVP, or booster transmitter does not exceed the emission limitations of § 74.535. This may be accomplished by appropriate frequency meas-

47 CFR Ch. I (10–1–99 Edition)

urement techniques and consideration of the transmitter emissions.

[50 FR 48599, Nov. 26, 1985]

§ 74.564 Posting of station license.

(a) The station license and any other instrument of authorization or individual order concerning the construction of the equipment or manner of operation of the station shall be posted in the room in which the transmitter is located, provided that if the station is operated by remote control pursuant to § 74.533, the station license shall be posted at the operating position.

(b) Posting of the station license and any other instruments of authorization shall be done by affixing the licenses to the wall at the posting location, or by enclosing them in a binder or folder which is retained at the posting location so that the documents will be readily available and easily accessible.

[48 FR 24385, June 1, 1983, as amended at 60 FR 55483, Nov. 1, 1995]

§ 74.582 Station identification.

(a) Each aural broadcast STL or intercity relay station, when transmitting program material or information shall transmit station identification at the beginning and end of each period of operation, and hourly, as close to the hour as feasible, at a natural break in program offerings by one of the following means:

(1) Transmission of its own call sign by aural means or by automatic transmission of international Morse telegraphy.

(2) Aural transmission of the call sign of the radio broadcast station with which it is licensed as an STL or intercity relay station.

(3) Aural transmission of the call sign of the radio broadcast station whose signals are being relayed, or, when programs are obtained directly from network lines and relayed, the network identification.

(b) Station identification transmissions during operation need not be made when to make such transmission would interrupt a single consecutive speech, play, religious service, symphony concert, or other such productions. In such cases, the identification transmission shall be made at the first

interruption of the entertainment continuity and at the conclusion thereof.

(c) Where more than one aural broadcast STL or intercity relay station is employed in an integrated relay system, the station at the point of origination may originate the transmission of the call signs of all of the stations in the relay system.

(d) Aural broadcast microwave booster stations will be assigned individual call signs. However, station identification will be accomplished by the retransmission of identification as provided in paragraph (a) of this section.

(e) Voice transmissions shall normally be employed for station identification. However, other methods of station identification may be permitted or required by the Commission.

[28 FR 13716, Dec. 14, 1963, as amended at 42 FR 36830, July 18, 1977; 42 FR 38178, July 27, 1977; 45 FR 26067, Apr. 17, 1980; 49 FR 7130, Feb. 27, 1984]

Subpart F—Television Broadcast Auxiliary Stations

§ 74.600 Eligibility for license.

A license for a station in this subpart will be issued only to a television broadcast station, a television broadcast network-entity, a low power television station, or a television translator station.

[52 FR 7142, Mar. 9, 1987]

§ 74.601 Classes of TV broadcast auxiliary stations.

(a) *TV pickup stations.* A land mobile station used for the transmission of TV program material and related communications from scenes of events occurring at points removed from TV broadcast station studios to TV broadcast or low power TV stations or other purposes as authorized in § 74.631.

(b) *TV STL station (studio-transmitter link).* A fixed station used for the transmission of TV program material and related communications from the studio to the transmitter of a TV broad-

cast or low power TV station or other purposes as authorized in § 74.631.

(c) *TV relay station.* A fixed station used for transmission of TV program material and related communications for use by TV broadcast and low power TV stations or other purposes as authorized in § 74.631.

(d) *TV translator relay station.* A fixed station used for relaying programs and signals of TV broadcast stations to LPTV, TV translator, and to other communications facilities that the Commission may authorize or for other purposes as permitted by § 74.631.

(e) *TV broadcast licensee.* Licensees and permittees of both TV broadcast and low power TV stations, unless specifically otherwise indicated.

(f) *TV microwave booster station.* A fixed station in the TV broadcast auxiliary service that receives and amplifies signals of a TV pickup, TV STL, TV relay, or TV translator relay station and retransmits them on the same frequency.

[47 FR 21496, May 18, 1982, as amended at 48 FR 17091, Aug. 21, 1983; 49 FR 7130, Feb. 27, 1984]

§ 74.602 Frequency assignment.

(a) The following frequencies are available for assignment to television pickup, television STL, television relay and television translator relay stations. The band segments 17,700–18,580 and 19,260–19,700 MHz are available for broadcast auxiliary stations as described in paragraph (g) of this section. Additionally, the band 38.6–40.0 GHz is available for assignment without channel bandwidth limitation to TV pickup stations on a secondary basis to fixed stations. The band segment 6425–6525 MHz is available for broadcast auxiliary stations as described in paragraph (j) of this section. Broadcast network-entities may also use the 1990–2110, 6425–6525 and 6875–7125 MHz bands for mobile television pickup only.

Band A MHz	Band B MHz	Band D ¹ GHz			
		Group A channels		Group B channels	
		Designation	Channel boundaries	Designation	Channel boundaries
1990–2008 .....	.....	A01	12.700–12.725	B01	12.7125–12.7375
2008–2025 .....	.....	A02	12.725–12.750	B02	12.7375–12.7625
2025–2042 .....	.....	A03	12.750–12.775	B03	12.7625–12.7875
2042–2059 .....	.....	A04	12.775–12.800	B04	12.7875–12.8125
2059–2076	6875–6900	A05	12.800–12.825	B05	12.8125–12.8375
2076–2093	6900–6925	A06	12.825–12.850	B06	12.8375–12.8625
2093–2110	6925–6950	A07	12.850–12.875	B07	12.8625–12.8875
2450–2467	6950–6975	A08	12.875–12.900	B08	12.8875–12.9125
2467–2483.5	6975–7000	A09	12.900–12.925	B09	12.9125–12.9375
	7000–7025	A10	12.925–12.950	B10	12.9375–12.9625
	7025–7050	A11	12.950–12.975	B11	12.9625–12.9875
	7050–7075	A12	12.975–13.000	B12	12.9875–13.0125
	7075–7100	A13	13.000–13.025	B13	13.0125–13.0375
	7100–7125	A14	13.025–13.050	B14	13.0375–13.0625
		A15	13.050–13.075	B15	13.0625–13.0875
		A16	13.075–13.100	B16	13.0875–13.1125
		A17	13.100–13.125	B17	13.1125–13.1375
		A18	13.125–13.150	B18 ²	13.1375–13.1625
		A19 ²	13.150–13.175	B19 ²	13.1625–13.1875
		A20 ²	13.175–13.200	B20 ²	13.1875–13.2125
		A21	13.200–13.225	B21	13.2125–13.2375
		A22	13.225–13.250		

¹ For fixed stations using Band D Channels, applicants are encouraged to use alternate A and B channels such that adjacent R.F. carriers are spaced 12.5 MHz. As example, a fixed station, relaying several channels, would use A01, B01, A02, B02, A03, etc.

² The band 13.15–13.20 GHz is reserved exclusively for the assignment of Television Pickup and CARS Pickup stations on a co-equal basis within a 50 km radius of each of the 100 television markets delineated in Section 76.51. Fixed television auxiliary stations licensed pursuant to applications accepted for filing before Sept. 1, 1979, may continue operation on channels in the 13.15–13.20 GHz band, subject to periodic license renewals.

(1) Frequencies shown above between 2450 and 2500 MHz in Band A are allocated to accommodate the incidental radiations of industrial, scientific, and medical (ISM) equipment, and stations operating therein must accept any interference that may be caused by the operation of such equipment. Frequencies between 2450 and 2500 MHz are also shared with other communication services and exclusive channel assignments will not be made, nor is the channeling shown above necessarily

that which will be employed by such other services.

(2) The following notes to the Table of Frequency Allocations contained in §2.106 apply to the shared use of the frequency bands shown above:

NG 123 Television pickup stations may be authorized to use frequencies in the band 38.6–40 GHz on a secondary basis to stations operating in the fixed services.

US90 In the band 2025–2120 MHz earth-to-space transmissions in the space research and earth exploration satellite services by

Federal Communications Commission

§ 74.602

Government and non-Government stations as specific locations may be authorized subject to such conditions as may be applied on a case-by-case basis.

US111 In the band 1990–2120 MHz, Government space research earth station may be authorized to use specific frequencies at specific locations for earth-to-space transmissions. Such authorizations shall be secondary to non-Government use of this band and subject to such other conditions as may be applied on a case-by-case basis.

Corpus Christi, Tex., 27°39' N., 097°23' W.
Fairbanks, Alaska, 64°59' N, 147°53' W.
Goldstone, Calif., 35°18' N, 116°54' W.
Greenbelt, Md., 39°00' N, 076°50' W.
Guam, Mariana Islands, 13°19' N, 144°44' E.
Kanai, Hawaii, 22°08' N, 159°40' W.
Meritt Island, Fla., 28°29' N, 080°35' W.
Rosman, N.C., 35°12' N, 082°52' W.
Wallops Island, Va., 37°57' N, 075°28' W.

US219 In the band 2025–2110 MHz, Government Earth resources satellite Earth stations in the Earth exploration-satellite service may be authorized to use the frequency 2106.4 MHz for Earth-to-space transmissions for tracking, telemetry, and telecommand at the sites listed below. Such transmissions shall not cause harmful interference to non-Government operations.

US222 In the band 2025–2035 MHz geostationary operational environmental satellite Earth stations in the space research and Earth exploration-satellite services may be authorized on a coequal basis for Earth-to-space transmission for tracking, telemetry, and telecommand at the sites listed below:

Wallops Is., Va. 37°50' 48" N., 75°27' 33" W.
Seattle, Wash. 47°34' 15" N., 122°33' 10" W.
Honolulu, Hawaii 21°21' 12" N., 157°52' 36" W.

NG147 Stations in the broadcast auxiliary service and private radio services licensed as of July 25, 1985, or on a subsequent date following as a result of submitting an application for license on or before July 25, 1985, may continue to operate on a primary basis to the radiodetermination satellite service.

(b) Subject to the conditions of paragraph (a) of this section, frequency assignments will normally be made as requested, provided that the frequency selection provisions of §74.604 have been followed and that the frequency requested will cause no interference to existing users in the area. The Commission reserves the right to assign frequencies other than those requested if, in its opinion, such action is warranted.

(c) Fixed link stations will be authorized to operate on one channel only.

(d) Community antenna relay stations may be assigned channels in Band D between 12,700 and 13,200 MHz subject to the condition that no harmful interference is caused to TV STL and TV relay stations authorized at the time of such grants. Similarly, new TV STL and TV relay stations must not cause harmful interference to community antenna relay stations authorized at the time of such grants. The use of channels between 12,700 and 13,200 MHz by TV pickup stations is subject to the condition that no harmful interference is caused to community antenna relay, TV STL and TV relay stations, except as provided for in §74.602(a) Note 2. Band D channels are also shared with certain Private Operational Fixed Stations, see §74.638.

(e) Communication common carriers in the Local Television Transmission Service (Part 21) may be assigned frequencies available to television broadcast station licensees and broadcast network entities for the purpose of providing service to television broadcast stations and broadcast network—entities, respectively.

(f) TV auxiliary stations licensed to low power TV stations and translator relay stations will be assigned on a secondary basis, i.e., subject to the condition that no harmful interference is caused to other TV auxiliary stations assigned to TV broadcast stations, or to community antenna relay stations (CARS) operating between 12,700 and 13,200 MHz. Auxiliary stations licensed to low power TV stations and translator relay stations must accept any interference caused by stations having primary use of TV auxiliary frequencies.

(g) The following frequencies are available for assignment to television STL, television relay stations and television translator relay stations. The provisions of Section 74.604 do not apply to the use of these frequencies. These frequencies are shared on a coequal basis with other stations in the fixed service (see Parts 21, 78 and 94). Applicants may use either a two-way link or one or both frequencies of a frequency pair for a one-way link and shall coordinate proposed operations pursuant to procedures required in §21.100(d).

§ 74.602

(1) 2 MHz maximum authorized bandwidth channel:

Transmit (receive) (MHz)	Receive (transmit) (MHz)
18141.0	n/a

(2) 6 MHz maximum authorized bandwidth channels:

Transmit (receive) (MHz)	Receive (transmit) (MHz)
216 MHz Separation	
18145.0	n/a
18151.0	18367.0
18157.0	18373.0
18163.0	18379.0
18169.0	18385.0
18175.0	18391.0
18181.0	18397.0
18187.0	18403.0
18193.0	18409.0
18199.0	18415.0
18205.0	18421.0
18211.0	18427.0
18217.0	18433.0
18223.0	18439.0
18229.0	18445.0
18235.0	18451.0
18241.0	18457.0
18247.0	18463.0
18253.0	18469.0
18259.0	18475.0
18265.0	18481.0
18271.0	18487.0
18277.0	18493.0
18283.0	18499.0
18289.0	18505.0
18295.0	18511.0
18301.0	18517.0
18307.0	18523.0
18313.0	18529.0
18319.0	18535.0
18325.0	18541.0
18331.0	18547.0
18337.0	18553.0
18343.0	18559.0
18349.0	18565.0
18355.0	18571.0
18361.0	18577.0

(3) 10 MHz maximum authorized bandwidth channels:

Transmit (receive) (MHz)	Receive (transmit) (MHz)
1560 MHz Separation	
17705.0	19265.0
17715.0	19275.0
17725.0	19285.0
17735.0	19295.0
17745.0	19305.0
17755.0	19315.0
17765.0	19325.0
17775.0	19335.0
17785.0	19345.0

47 CFR Ch. I (10–1–99 Edition)

Transmit (receive) (MHz)	Receive (transmit) (MHz)
17795.0	19355.0
17805.0	19365.0
17815.0	19375.0
17825.0	19385.0
17835.0	19395.0
17845.0	19405.0
17855.0	19415.0
17865.0	19425.0
17875.0	19435.0
17885.0	19445.0
17895.0	19455.0
17905.0	19465.0
17915.0	19475.0
17925.0	19485.0
17935.0	19495.0
17945.0	19505.0
17955.0	19515.0
17965.0	19525.0
17975.0	19535.0
17985.0	19545.0
17995.0	19555.0
18005.0	19565.0
18015.0	19575.0
18025.0	19585.0
18035.0	19595.0
18045.0	19605.0
18055.0	19615.0
18065.0	19625.0
18075.0	19635.0
18085.0	19645.0
18095.0	19655.0
18105.0	19665.0
18115.0	19675.0
18125.0	19685.0
18135.0	19695.0

(4) 20 MHz maximum authorized bandwidth channels:

Transmit (receive) (MHz)	Receive (transmit) (MHz)
1560 MHz Separation	
17710.0	19270.0
17730.0	19290.0
17750.0	19310.0
17770.0	19330.0
17790.0	19350.0
17810.0	19370.0
17830.0	19390.0
17850.0	19410.0
17870.0	19430.0
17890.0	19450.0
17910.0	19470.0
17930.0	19490.0
17950.0	19510.0
17970.0	19530.0
17990.0	19550.0
18010.0	19570.0
18030.0	19590.0
18050.0	19610.0
18070.0	19630.0
18090.0	19650.0
18110.0	19670.0
18130.0	19690.0

(5) 40 MHz maximum authorized bandwidth channels:

Federal Communications Commission

§ 74.603

Transmit (receive) (MHz)	Receive (transmit) (MHz)
1560 MHz Separation	
17720.0	19280.0
17760.0	19320.0
17800.0	19360.0
17840.0	19400.0
17880.0	19440.0
17920.0	19480.0
17960.0	19520.0
18000.0	19560.0
18040.0	19600.0
18080.0	19640.0
18120.0	19680.0

(6) 80 MHz maximum authorized bandwidth channels:

Transmit (receive) (MHz)	Receive (transmit) (MHz)
1560 MHz Separation	
17740.0	19300.0
17820.0	19380.0
17900.0	19460.0
17980.0	19540.0
18060.0	19620.0

(h) TV STL and TV relay stations may be authorized, on a secondary basis and subject to the provisions of Subpart G of this chapter, to operate fixed point-to-point service on the UHF-TV channels 14-69. These stations must not interfere with and must accept interference from current and future full-power UHF-TV stations, LPTV stations, translator stations. They will also be secondary to current land mobile stations (in areas where land mobile sharing is currently permitted and contingent on the decision reached in the pending Dockets No. 85-172 and No. 84-902).

(i) *6425 to 6525 MHz—Mobile Only.* Paired and un-paired operations permitted. Use of this spectrum for direct delivery of video programs to the general public or multi-channel cable distribution is not permitted. This band is co-equally shared with mobile stations licensed pursuant to Parts 21, 78 and 94 of the Commission's Rules. The following channel plans apply.

(1) 1 MHz maximum authorized bandwidth channels.

Transmit (or receive MHz)	Receive (or transmit) (MHz)
6425.5	6475.5
6450.5	6500.5

(2) 8 MHz maximum authorized bandwidth channels.

Transmit (or receive MHz)	Receive (or transmit) (MHz)
6430.0	6480.0
6438.0	6488.0
6446.0	6596.0
6455.0	6505.0
6463.0	6513.0
6471.0	6521.0

(3) 25 MHz maximum authorized bandwidth channels.

Transmit (or receive MHz)	Receive (or transmit) (MHz)
6437.5	6487.5
6462.5	6512.5

(Secs. 4, 5, 303, 48 Stat., as amended, 1066, 1068, 1082; 47 U.S.C. 154, 155, 303)

[28 FR 13718, Dec. 14, 1963]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 74.602, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 74.603 Sound channels.

(a) The frequencies listed in § 74.602(a) may be used for the simultaneous transmission of the picture and sound portions of TV broadcast programs and for cue and order circuits, either by means of multiplexing or by the use of a separate transmitter within the same channel. When multiplexing of a TV STL station is contemplated, consideration should be given to the requirements of § 73.687 of this Chapter regarding the overall system performance requirements. Applications for new TV pickup, TV STL, TV relay and TV translator relay stations shall clearly indicate the nature of any mutliplexing proposed. Multiplexing equipment may be installed on licensed equipment without authority of the FCC, provided the installation of such apparatus on a TV STL station shall not result in degradation of the overall system performance of the TV broadcast station below that permitted by § 73.687 of this chapter.

(b) The aural portion of television broadcast program material may be transmitted over an aural broadcast STL or intercity relay station licensed under the provisions of Subpart E of this part, but only on a secondary, non-interference basis to the programming

of aural broadcast stations. A TV station licensee may continue such operation until the channel assigned to its Subpart E station is requested by an aural broadcast licensee after a showing that no other vacant channels are available or satisfactory. Upon Commission concurrence with the aural broadcast licensee request, the TV station licensee will be required to discontinue operation on the requested frequency. In areas where only a portion of the Subpart E frequencies used by TV station licensees are required by aural broadcast licensees, the Commission will assist all affected parties in arriving at an equitable solution. The provisions of this paragraph do not preclude continued use of Subpart E facilities for relay of TV sound where the facilities are authorized to an aural broadcast licensee and the primary purpose of the station is to relay aural broadcast programming.

(c) Aural STL or intercity relay stations licensed as of July 10, 1970, to operate in the frequency band 942–947 MHz, may continue to so operate pending a decision as to their disposition through a future rule making proceeding.

(d) Remote pickup broadcast stations may be used in conjunction with television pickup stations for the transmission of the aural portion of television programs or events that occur outside a television studio and for the transmission of cues, orders, and other related communications necessary thereto. The rules governing remote pickup broadcast stations are contained in Subpart D of this part.

[28 FR 13718, Dec. 14, 1963, as amended at 47 FR 55936, Dec. 14, 1982; 48 FR 24385, June 1, 1983]

§ 74.604 Interference avoidance.

(a) Because the Commission does not undertake frequency coordination, applicants for new TV broadcast auxiliary authorizations are responsible for selecting the frequency assignments that are least likely to result in mutual interference with other licensees in the same area. Applicants may consult local coordination committees, where they exist, for information on frequencies available in the area. In selecting frequencies, consideration

should be given to the relative locations of receiving points, normal transmission paths, and the nature of the contemplated operation.

(b) Where two or more licensees are assigned a common channel for TV pickup, TV STL, or TV relay purposes in the same area and simultaneous operation is contemplated, they shall take such steps as may be necessary to avoid mutual interference, including consultation with the local coordination committee, if one exists. If a mutual agreement to this effect cannot be reached, the Commission must be notified and it will take such action as may be necessary, including time sharing arrangements, to assure an equitable distribution of available frequencies.

(c) For those interference disputes brought to the Commission for resolution, TV broadcast auxiliary channels will have the following priority for purposes of interference protection:

(1) All fixed links for full service broadcast stations and cable systems.

(2) TV and CARS pickup stations.

(3) Fixed or mobile stations serving translator or low power TV stations.

(4) Backup facilities; TV pickup stations used outside a licensee's local service area.

(5) Any transmission, pursuant to § 74.631(f), that does not involve the delivery of program material to a licensee's associated TV broadcast station.

(d) Interference between two stations having the same priority shall be resolved in favor of the station licensed first on a particular path.

[48 FR 17091, Apr. 21, 1983]

§ 74.631 Permissible service.

(a) The licensee of a television pickup station authorizes the transmission of program material, orders concerning such program material, and related communications necessary to the accomplishment of such transmissions, from the scenes of events occurring in places other than a television studio, to its associated television broadcast station, to such other stations as are broadcasting the same program material, or to the network or networks with which the television broadcast station is affiliated. Television pickup stations may be operated in conjunction with other television broadcast

stations not aforementioned in this paragraph: *Provided*, That the transmissions by the television pickup station are under the control of the licensee of the television pickup station and that such operation shall not exceed a total of 10 days in any 30-day period. Television pickup stations may be used to provide temporary studio-transmitter links or intercity relay circuits consistent with § 74.632 without further authority of the Commission: *Provided, however*, That prior Commission authority shall be obtained if the transmitting antenna to be installed will increase the height of any natural formation or man-made structure by more than 6.1 meters (20 feet) and will be in existence for a period of more than 2 consecutive days.

NOTE: As used in this subpart, "associated television broadcast station" means a television broadcast station licensed to the licensee of the television auxiliary broadcast station and with which the television auxiliary station is licensed as an auxiliary facility.

(b) A television broadcast STL station is authorized to transmit visual program material between the studio and the transmitter of a television broadcast station for simultaneous or delayed broadcast.

(c) A TV relay station is authorized to transmit visual program material between TV broadcast stations for simultaneous or delayed broadcast, or may be used to transmit visual program material from a remote pickup receiver site of a single station.

(d) The transmitter of an STL, TV relay station or TV translator relay station may be multiplexed to provide additional communication channels. A TV broadcast STL or TV relay station will be authorized only in those cases where the principal use is the transmission of television broadcast program material for use by its associated TV broadcast station. However, STL or TV relay stations so licensed may be operated at any time for the transmission of multiplexed communications whether or not visual program material is being transmitted, provided that such operation does not cause harmful interference to TV broadcast pickup, STL or TV relay stations

transmitting television broadcast program material.

(e) Except as provided in paragraphs (a), (d), (f) and (j) of this section, all program material transmitted over a TV pickup, STL, or TV relay station shall be used by or intended for use by a TV broadcast station owned by or under the common control of the licensee of the TV pickup, STL, or TV relay station. Program material transmitted over a TV pickup, STL or TV relay station and so used by the licensee of such facility may, with the permission of the licensee of the broadcast auxiliary facility, be used by other TV broadcast stations and by non-broadcast closed circuit educational TV systems operated by educational institutions.

(f) A TV broadcast pickup, STL, or TV relay station may be used for the transmission of material to be used by others, including but not limited to other broadcast stations, cable television systems, and educational institutions. This use shall not interfere with the use of these broadcast auxiliary facilities for the transmission of programs and associated material intended to be used by the television station or stations licensed to or under common control of the licensee of the TV pickup, STL, or TV relay station. This use of the broadcast auxiliary facilities must not cause harmful interference to broadcast auxiliary stations operating in accordance with the basic frequency allocation, and the licensee of the TV pickup, STL, or TV relay station must retain exclusive control over the operation of the facilities. Prior to operating pursuant to the provisions of this section, the licensee shall, for the intended location or area-of-operation, notify the appropriate frequency coordination committee or any licensee(s) assigned the use of the proposed operating frequency, concerning the particulars of the intended operation and must provide the name and telephone number of a person who may be contacted in the event of interference.

(g) Except as provided in paragraph (d) of this section, a television translator relay station is authorized for the purpose of relaying the programs and

signals of a television broadcast station to television broadcast translator stations for simultaneous retransmission.

(h) A TV microwave booster station is authorized to retransmit the signals of a TV pickup, TV STL, TV relay, or TV translator relay station.

(i) TV broadcast auxiliary stations authorized pursuant to this subpart may additionally be authorized to supply programs and signals of TV broadcast stations to cable television systems or CARS stations. Where the licensee of a TV broadcast auxiliary station supplies programs and signals to cable television systems or CARS stations, the TV auxiliary licensee must have exclusive control over the operation of the TV auxiliary stations licensed to it. Contributions to capital and operating expenses may be accepted only on a cost-sharing, non-profit basis, prorated on an equitable basis among all parties being supplied with program material.

(j) A broadcast network-entity may use television auxiliary service stations to transmit their own television program materials to broadcast stations, other broadcast network-entities, cable systems and cable network-entities: *Provided, however*, that the bands 1990–2110 MHz, 6425–6525 MHz and 6875–7125 MHz may be used by broadcast network-entities only for television pickup stations.

[28 FR 13718, Dec. 14, 1963, as amended at 29 FR 15524, Nov. 19, 1964; 43 FR 1950, Jan. 13, 1978; 44 FR 32381, June 6, 1979; 47 FR 55937, Dec. 14, 1982; 48 FR 17092, Apr. 21, 1983; 49 FR 7130, Feb. 27, 1984; 52 FR 7142, Mar. 9, 1987]

§ 74.632 Licensing requirements.

(a) Licenses for television pickup, television STL, television microwave booster, or television relay stations will be issued only to licensees of television broadcast stations, and broadcast network-entities and, further, on a secondary basis, to licensees of low power television stations. A separate application is required for each fixed station and the application shall be specific with regard to the frequency requested. A mobile station license may be issued for any number of mobile transmitters to operate in a specific area or frequency band and the ap-

plicant shall be specific with regard to the frequencies requested. In lieu of specifying specific transmitter types, applicants shall certify that the transmitter used or to be used at the requested facility is authorized as required, or was manufactured before October 1, 1981. Applications for consolidation of individual mobile station licenses into a system license will be accepted only at the time application is made for renewal of the main (Part 73) station license.

(b) A license for a TV relay station may be issued in any case where the circuit will operate between TV broadcast stations either by means of "off-the-air" pickup and relay or location of the initial relay station at the studio or transmitter of a TV broadcast station.

(c) An application for construction permit for a new TV pickup station shall designate the TV broadcast station with which it is to be operated and specify the area in which the proposed operation is intended. The maximum permissible area of operation will generally be that of a standard metropolitan area, unless a special showing is made that a larger area is necessary.

(d) Licensees who have two or more TV broadcast stations located in different cities shall, in applying for a new TV pickup station, designate the TV broadcast station in conjunction with which it is to be operated principally. Operation in a city which is not the city of license of the associated TV broadcast station is on a secondary, non-interference basis to home-city users.

(e) A license for a TV translator relay station will be issued only to licensees of low power TV and TV translator stations. The application for construction permit shall designate the television broadcast station to be relayed, the source of the television broadcast station's signals, and the television broadcast translator station with which it is to be operated. *However*, a television translator relay station license may be issued to a cooperative enterprise wholly owned by licensees of television broadcast translators or licensees of television broadcast translators and cable television owners or operators upon a showing

Federal Communications Commission

§ 74.634

that the applicant is qualified under the Communication Act of 1934, as amended.

(f) Licensees of TV pickup, TV STL, TV relay, and TV translator relay stations may be authorized to operate one or more TV microwave booster stations for the purpose of relaying signals over a path that cannot be covered with a single station.

NOTE: Applications for TV microwave booster stations will not be accepted for filing prior to January 1, 1985.

(g) In case of permanent discontinuance of operation of a station licensed under this subpart, the licensee shall forward the station license to the Federal Communications Commission, Broadcast Auxiliary Radio Services, 1270 Fairfield Road, Gettysburg, Pennsylvania 17325.

[28 FR 13718, Dec. 14, 1963, as amended at 44 FR 32382, June 6, 1979; 47 FR 55937, Dec. 14, 1982; 48 FR 9012, Mar. 3, 1983; 48 FR 17092, Apr. 21, 1983; 48 FR 21486, May 12, 1983; 49 FR 7130, Feb. 27, 1984; 49 FR 10930, Mar. 23, 1984; 52 FR 7142, Mar. 9, 1987; 58 FR 19775, Apr. 16, 1993; 63 FR 36605, July 7, 1998]

§ 74.633 Temporary authorizations.

(a) Special temporary authority may be granted for TV broadcast auxiliary station operation which cannot be conducted in accordance with § 74.24. Such authority will normally be granted only for operations of a temporary nature. Where operation is seen as likely on a continuing annual basis, an application for a regular authorization should be submitted.

(b) A request for special temporary authority for the operation of a television broadcast auxiliary station may be made by informal application. An informal application for special temporary authority requiring payment of a fee shall be addressed to the FCC at Federal Communications Commission, Broadcast Auxiliary Radio Services, P.O. Box 358700, Pittsburgh, PA 15251-5700. An informal application for special temporary authority not requiring payment of a fee shall be addressed to the FCC at Federal Communications Commission, Broadcast Auxiliary Radio Services, 1270 Fairfield Road, Gettysburg, Pennsylvania 17325. Such applications shall be filed with the

Commission at least 10 days prior to the date of the proposed operation.

(c) An application for special temporary authority shall set forth full particulars of the purpose for which the request is made, and shall show the type of equipment, power output, emission, and frequency or frequencies proposed to be used, as well as the time, date and location of the proposed operation. In the event that the proposed antenna installation will increase the height of any natural formation, or existing man-made structure, by more than 6.1 meters (20 feet), a vertical plan sketch showing the height of the structure proposed to be erected, the height above ground of any existing structure, the elevation of the site above mean sea level, and the geographic coordinates of the proposed site, shall be submitted with the application.

(d) A request for special temporary authority shall specify a channel or channels consistent with the provisions of § 74.602: *Provided*, That in the case of events of wide-spread interest and importance which cannot be transmitted successfully on these frequencies, frequencies assigned to other services may be requested upon a showing that operation thereon will not cause interference to established stations: *And provided further*, That in no case will a television auxiliary broadcast operation be authorized on frequencies employed for the safety of life and property.

(e) When the transmitting equipment utilized is not licensed to the user, the user shall nevertheless have full control over the use of the equipment during the period it is operated.

(f) Special temporary authority to permit operation of a TV auxiliary broadcast station of any class pending FCC action on an application for regular authority will not normally be granted.

(Sec. 318, 48 Stat. 1089, as amended; 47 U.S.C. 318)

[28 FR 13720, Dec. 14, 1963, as amended at 47 FR 9221, Mar. 4, 1982; 47 FR 55937, Dec. 14, 1982; 50 FR 23710, June 5, 1985; 52 FR 10570, Apr. 2, 1987; 58 FR 19775, Apr. 16, 1993]

§ 74.634 Remote control operation.

(a) A TV auxiliary station may be operated by remote control provided that

§ 74.635

such operation is conducted in accordance with the conditions listed below:

(1) The remote control system must be designed, installed, and protected so that the transmitter can only be activated or controlled by persons authorized by the licensee.

(2) The remote control equipment must be maintained to ensure proper operation.

(3) The remote control system must be designed to prevent inadvertent transmitter operation caused by malfunctions in the circuits between the control point and transmitter.

(b) The FCC may notify the licensee to cease or modify operation in the case of frequency usage disputes, interference or similar situations where such action appears to be in the public interest, convenience and necessity.

[28 FR 13718, Dec. 14, 1963, as amended at, 47 FR 55937, Dec. 14, 1982; 50 FR 48600, Nov. 26, 1985; 60 FR 55483, Nov. 1, 1995]

§ 74.635 Unattended operation.

(a) TV relay stations, TV translator relay stations, TV STL stations, and TV microwave booster stations may be operated unattended under the following conditions:

(1) The transmitter must be provided with adequate safeguards to prevent improper operation.

(2) The transmitter shall be so installed and protected that it is not accessible to other than duly authorized persons;

(3) TV relay stations, TV STL stations, TV translator relay stations, and TV microwave booster stations used with these stations, shall be observed at the receiving end of the microwave circuit as often as necessary to ensure proper station operation by a person designated by the licensee, who must institute measures sufficient to ensure prompt correction of any condition of improper operation. However, an STL station (and any TV microwave booster station) associated with a TV broadcast station operated by remote control may be observed by monitoring the TV station's transmitted signal at the remote control point. Additionally, a TV translator relay station (and any associated TV microwave booster station) may be observed by monitoring

47 CFR Ch. I (10–1–99 Edition)

the associated TV translator station's transmitted signal.

(b) The FCC may notify the licensee to cease or modify operation in the case of frequency usage disputes, interference or similar situations where such action appears to be in the public interest, convenience and necessity.

[28 FR 13718, Dec. 14, 1963, as amended at 31 FR 15314, Dec. 7, 1966; 43 FR 1950, Jan. 13, 1978; 47 FR 55937, Dec. 14, 1982; 49 FR 7131, Feb. 27, 1984; 50 FR 32417, Aug. 12, 1985]

§ 74.636 Power limitations.

Transmitter peak output power shall not be greater than necessary, and in any event, shall not exceed the power listed in the table below:

Frequency band (MHz)	Maximum allowable transmitter power		Maximum allowable EIRP	
	Fixed (W)	Mobil (W)	Fixed (dBW)	Mobil (dBW)
1,990 to 2,110	20.0	12.0	.....	.....
2,450 to 2,500	20.0	12.0	.....	.....
6,425 to 6,525 .....	.....	12.0	.....	+35
6,875 to 7,125	20.0	12.0	+55	+35
12,700 to 13,250	5.0	1.5	+55	+45
17,700 to 18,600	10.0	.....	+55	.....
18,600 to 18,800	¹ 10.0	.....	+35	.....
18,800 to 19,700	10.0	.....	+55	.....
31,000 to 31,300	0.05	0.05	.....	.....
38,600 to 40,000 .....	.....	1.5	.....	.....

¹ The power delivered to the antenna is limited to -3 dBW.

[45 FR 78692, Nov. 26, 1980, as amended at 52 FR 7142, Mar. 9, 1987]

§ 74.637 Emissions and emission limitations.

(a) For frequency modulation, the mean power of emissions shall be attenuated below the mean transmitter power (P) in accordance with the following schedule:

(1) On any frequency removed from the assigned frequency by more than 50% and up to 100% of the authorized bandwidth: at least 25 dB.

(2) On any frequency removed from the assigned frequency by more than 100% and up to 150% of the authorized bandwidth: at least 35 dB.

(3) On any frequency removed from the assigned frequency by more than 150% of the authorized bandwidth: at least 43+10 Log(P) dB.

(b) For all emissions except frequency modulation, the peak power of emissions shall be attenuated below the peak envelope transmitter power

Federal Communications Commission

§ 74.637

(P) in accordance with the following schedule:

(1) On any frequency 500 Hz inside the channel edge up to and including 2500

Hz outside the same edge, the following formula will apply:

$$\text{Attenuation} = 29 \text{ Log} \left(\frac{25}{11} \left(D + 2.5 - \frac{W}{2} \right)^2 \right) \text{ dB}$$

or 50 dB whichever is the lesser attenuation. Where: D is the displacement frequency (kHz) from the center of the authorized bandwidth; and W is the channel bandwidth (kHz).

(2) On any frequency removed from the channel edge by more than 2500 Hz: At least 43+10 Log (P) dB.

(c) For operation in the bands 6425–6525 MHz, 17,700–19,700 MHz, and 31,000–31,300 MHz: TV broadcast STL, relay and booster stations may be authorized to employ analog or digital modulation in this band. The mean power of any emission shall be attenuated below the mean output power of the transmitter in accordance with the following schedule:

(1) When using frequency modulation:

(i) On any frequency removed from the assigned (center) frequency by more than 50% up to and including 100% of the authorized bandwidth: At least 25 dB;

(ii) On any frequency removed from the assigned (center) frequency by more than 100% up to and including 250% of the authorized bandwidth: At least 35 dB;

(iii) On any frequency removed from the assigned (center) frequency by more than 250% of the authorized bandwidth: At least 43+10 log 10 (mean output power in watts) dB, or 80 dB, whichever is the lesser attenuation.

(2) When using digital modulation:

(i) In any 1 MHz band, the center frequency of which is removed from the assigned frequency by more than 50% up to and including 250% of the authorized bandwidth: As specified by the following equation but in no event less than 11 dB.

$$A = 11 + 0.4 (P - 50) + 10 \log_{10} B$$

where:

A=Attenuation (in dB) below the mean output power level

P=Percent removed from the carrier frequency

B=Authorized bandwidth in MHz

[Attenuation greater than 56 decibels is not required.]

(ii) In any 4 kHz band, the center frequency of which is removed from the assigned frequency by more than 250% of the authorized bandwidth: At least 43=10 log₁₀ (mean output power in watts) dB, or 80 dB, whichever is the lesser attenuation.

(3) Amplitude Modulation. For vestigial sideband AM video: On any frequency removed from the center frequency of the authorized band by more than 50%: at least 50 dB below peak power of the emission.

(d) In the event that interference to other stations is caused by emissions outside the authorized channel, the FCC may require greater attenuation than that specified in paragraph (b) of this section.

(e) The following limitations also apply to the operation of TV microwave booster stations:

(1) The booster station must receive and amplify the signals of the originating station and retransmit them on the same frequency without significantly altering them in any way. The characteristics of the booster transmitter output signal shall meet the requirements applicable to the signal of the originating station.

(2) The licensee is responsible for correcting any condition of interference that results from the radiation of radio frequency energy outside the assigned channel. Upon notice by the FCC to the station licensee that interference is being caused, operation of the apparatus must be immediately suspended and may not be resumed until the interference has been eliminated or it

can be demonstrated that the interference is not due to spurious emissions. However, short term test transmissions may be made during the period of suspended operation to determine the efficacy of remedial measures.

(3) In each instance where suspension of operation is required, the licensee must submit a full report to the FCC after operation is resumed. The report must contain details of the nature of the interference, the source of interfering signals, and the remedial steps taken to eliminate the interference.

(f) In the event a station's emissions outside its authorized channel cause harmful interference, the Commission may require the licensee to take such further steps as may be necessary to eliminate the interference.

(g) The maximum bandwidth which will be authorized per frequency assignment is set out in the table which follows. Regardless of the maximum authorized bandwidth specified for each frequency band, the Commission reserves the right to issue a license for less than the maximum bandwidth if it appears that less bandwidth would be sufficient to support an applicant's intended communications.

Frequency Band (MHz)	Maximum authorized bandwidth (MHz)
1,990 to 2,110	18
6,425 to 6,525	25
6,875 to 7,125	25
12,700 to 13,250	25
17,700 to 19,700	80
31,000 to 31,300	25 or 50
38,600 to 40,000	

[45 FR 78692, Nov. 26, 1980, as amended at 48 FR 50734, Nov. 3, 1983; 49 FR 7131, Feb. 27, 1984; 49 FR 37778, Sept. 26, 1984; 50 FR 7342, Feb. 22, 1985; 50 FR 34150, Aug. 23, 1985; 50 FR 48600, Nov. 26, 1985; 52 FR 7142, Mar. 9, 1987; 58 FR 51251, Oct. 1, 1993]

§ 74.638 Frequency coordination.

(a) Channels in Band D are shared with certain Private Operational Fixed Stations authorized under Part 94, § 94.93 after September 9, 1983. After this date all Broadcast Auxiliary use of these bands is subject to coordination using the following procedure:

(1) Before filing an application for new or modified facilities under this

part the applicant must perform a frequency engineering analysis to ensure that the proposed facilities will not cause interference to existing or previously applied for stations in this band of a magnitude greater than that specified below.

(2) The general criteria for determining allowable adjacent or co-channel interference protection to be afforded, regardless of system length or type of modulation, multiplexing or frequency band, shall be such that the interfering signal shall not produce more than 1.0 dB degradation of the practical threshold of the protected receiver. Degradation is determined by calculating the ratio in dB between the desired carrier signal and undesired interfering signal (C/I ratio) appearing at the input to the receiver under investigation (the victim receiver). The development of the C/I ratios from the criteria for maximum allowable interference level per exposure and the methods used to perform path calculations shall follow generally acceptable good engineering practices. Procedures as may be developed by the Electronics Industries Association (EIA), the Institute of Electrical and Electronics Engineers, Inc. (IEEE), the American National Standards Institute (ANSI) or any other recognized authority will be acceptable to the FCC.

(3) Where the development of the carrier to interference ratio (C/I) is not covered by generally acceptable procedures or where the applicant does not wish to develop the carrier to interference ratio, the applicant shall employ the following C/I protection ratios.

(i) Co-channel interference: For both sideband and carrier-beat, (applicable to all bands), the previously authorized system shall be afforded a carrier to interfering signal protection ratio of at least 90 dB.

(ii) Adjacent channel interference: The existing or previously authorized system shall be afforded a carrier to interfering signal protection ratio of at least 56 dB.

(b) Coordination of assignments in the 6425–6525 MHz and 17.7–19.7 GHz bands will be in accordance with the procedure established in § 21.100(d) *except* that the prior coordination process

Federal Communications Commission

§ 74.641

for mobile (temporary fixed) assignments may be completed orally and the period allowed for response to a coordination notification may be less than 30 days if the parties agree.

[49 FR 50734, Nov. 3, 1983, as amended at 52 FR 7142, Mar. 9, 1987]

§ 74.641 Antenna systems.

(a) For fixed stations operating between 1990 MHz and 31.3 GHz and aeronautical mobile stations operating between 31.0 GHz and 31.3 GHz, the following standards apply:

(1) Fixed TV broadcast auxiliary stations shall use directional antennas that meet the performance standards indicated in the following table. Upon adequate showing of need to serve a larger sector, or more than a single sector, greater beamwidth or multiple antennas may be authorized. Applicants shall request, and authorization for stations in this service will specify, the polarization of each transmitted

signal. Booster station antennas having narrower beamwidths and reduced sidelobe radiation may be required in congested areas, or to resolve interference problems.

(i) Stations must employ an antenna that meets the performance standards for Category B. In areas subject to frequency congestion, where proposed facilities would be precluded by continued use of a Category B antenna, a Category A antenna must be employed. The Commission may require the use of a high performance antenna where interference problems can be resolved by the use of such antennas.

(ii) Licensees shall comply with the antenna standards table shown in this paragraph in the following manner:

(A) With either the maximum beamwidth to 3 dB points requirement or with the minimum antenna gain requirement; and

(B) With the minimum radiation suppression to angle requirement.

ANTENNA STANDARDS

Frequency (MHz)	Category	Maximum beam-width to 3 dB points ¹ (included angle in degrees)	Minimum antenna gain (dbi)	Minimum radiation suppression to angle in de-grees from centerline of main beam in decibels						
				5° to 10°	10° to 15°	15° to 20°	20° to 30°	30° to 100°	100° to 140°	140° to 180°
1,990 to 2,110	A	5.0	n/a	12	18	22	25	29	33	39
	B	8.0	n/a	5	18	20	20	25	28	36
6,875 to 7,125	A	1.5	n/a	26	29	32	34	38	41	49
	B	2.0	n/a	21	25	29	32	35	39	45
12,700 to 13,250	A	1.0	n/a	23	28	35	39	41	42	50
	B	2.0	n/a	20	25	28	30	32	37	47
17,700 to 19,700	A	2.2	38	25	29	33	36	42	55	55
	B	2.2	38	20	24	28	32	35	36	36
31,000 to 31,300 ²	n/a	³ 4.0	38	n/a	n/a	n/a	n/a	n/a	n/a	n/a

¹ If a licensee chooses to show compliance using maximum beamwidth to 3 dB points, the beamwidth limit shall apply in both the azimuth and the elevation planes.

² Mobile, except aeronautical mobile, stations need not comply with these standards.

³ The minimum front-to-back ratio shall be 38 dBi.

(2) New periscope antenna systems will be authorized upon a certification that the radiation, in a horizontal plane, from an illuminating antenna and reflector combination meets or exceeds the antenna standards of this section. This provision similarly applies to passive repeaters employed to redirect or repeat the signal from a station's directional antenna system.

(3) The choice of receiving antennas is left to the licensee. However, licensees will not be pro-

tected from interference which results from the use of antennas with poorer performance than identified in the table of this section.

(4) [Reserved]

(5) Pickup stations are not subject to the performance standards herein stated. The provisions of this paragraph are effective for all new applications accepted for filing after October 1, 1981.

(b) Any fixed station licensed pursuant to an application accepted for filing prior to October 1, 1981, may continue to use its existing antenna system, subject to periodic renewal until April 1, 1992. After April 1, 1992, all licensees are to use antenna systems in conformance with the standards of this section. TV auxiliary broadcast stations are considered to be located in an area subject to frequency congestion and must employ a Category A antenna when:

(1) A showing by an applicant of a new TV auxiliary broadcast station or Cable Television Relay Service (CARS) station, which shares the 12.7–13.20 GHz band with TV auxiliary broadcast, indicates that use of a category B antenna limits a proposed project because of interference, and

(2) That use of a category A antenna will remedy the interference thus allowing the project to be realized.

(c) As an exception to the provisions of this section, the FCC may approve requests for use of periscope antenna systems where a persuasive showing is made that no frequency conflicts exist in the area of proposed use. Such approvals shall be conditioned to a standard antenna as required in paragraph (a) of this section when an applicant of a new TV auxiliary broadcast or Cable Television Relay station indicates that the use of the existing antenna system will cause interference and the use of a category A or B antenna will remedy the interference.

(d) As a further exception to the provision of paragraph (a) of this section, the Commission may approve antenna systems not conforming to the technical standards where a persuasive showing is made that:

(1) Indicates in detail why an antenna system complying with the requirements of paragraph (a) of this section cannot be installed, and

(2) Includes a statement indicating that frequency coordination as required in § 74.604 (a) was accomplished.

[45 FR 78693, Nov. 26, 1980, as amended at 49 FR 7131, Feb. 27, 1984; 49 FR 37778, Sept. 26, 1984; 50 FR 7342, Feb. 22, 1985; 51 FR 19840, June 3, 1986; 52 FR 7143, Mar. 9, 1987; 55 FR 11587, Mar. 29, 1990; 56 FR 50663, Oct. 8, 1991; 62 FR 4922, Feb. 3, 1997]

§ 74.643 Interference to geostationary-satellites.

These limitations are necessary to minimize the probability of harmful interference to reception in the bands 6425–6525 MHz, 6875–7075 MHz and 12.7–12.75 GHz on board geostationary space stations in the fixed-satellite service (Part 25).

(a) *6425 to 6525 and 6875 to 7075 MHz.* No directional transmitting antenna utilized by a fixed station operating in these bands shall be aimed within 2 degrees of the geostationary-satellite orbit, taking into account atmospheric refraction. However, exception may be made in unusual circumstances upon a showing that there is no reasonable alternative to the transmission path proposed. If there is no evidence that such exception would cause possible harmful interference to an authorized satellite system, said transmission path may be authorized on waiver basis where the maximum value of the equivalent isotropically radiated power (EIRP) does not exceed:

(1) +47 dBW for any antenna beam directed within 0.5 degrees of the stationary satellite orbit or

(2) +47 to +55 dBW, on a linear decibel scale (8 dB per degree) for any antenna beam directed between 0.5 degrees and 1.5 degrees of the stationary orbit.

(b) *12.7 to 12.75 GHz.* No directional transmitting antenna utilized by a fixed station operating in this band shall be aimed within 1.5 degrees of the geostationary-satellite orbit, taking into account atmospheric refraction. However, exception may be made in unusual circumstances upon a showing that there is no reasonable alternative to the transmission path proposed. If there is no evidence that such exception would cause possible harmful interference to an authorized satellite system, said transmission path may be authorized on waiver basis where the maximum value of the equivalent isotropically radiated power (EIRP) does not exceed +45 dBW for any antenna beam directed within 1.5 degrees of the stationary satellite orbit.

(c) Methods for calculating the azimuths to be avoided may be found in: CCIR Report No. 393 (Green Books),

New Delhi, 1970; in "Radio-Relay Antenna Pointing for controlled Interference With Geostationary-Satellites" by C. W. Lundgren and A. S. May, *Bell System Technical Journal*, Vol. 48, No. 10, pp. 3387-3422, December 1969; and in "Geostationary Orbit Avoidance Computer Program" by Richard G. Gould, Common Carrier Bureau Report CC-7201, FCC, Washington, DC, 1972. This latter report is available through the National Technical Information Service, U.S. Department of Commerce, Springfield, VA 22151, in printed form (PB-211 500) or source card deck (PB-211 501).

[52 FR 7143, Mar. 9, 1987]

§ 74.644 Minimum path lengths for fixed links.

(a) The distance between end points of a fixed link must equal or exceed the value set forth in the table below or the EIRP must be reduced in accordance with the equation set forth below.

Frequency band (MHz)	Minimum path length (km)
below 1,850	n/a
1,850—2,110	17
6,425—7,125	17
12,200—13,250	5
above 17,700	n/a

(b) For paths shorter than those specified in the Table, the EIRP shall not exceed the value derived from the following equation.

$$\text{EIRP} = 30 - 20 \log [A/B], \text{ dBW}$$

where:

EIRP=equivalent isotropic radiated power in dBW.

A=Minimum path length from the Table for the frequency band in kilometers.

B=The actual path length in kilometers.

(c) Upon an appropriate technical showing, applicants and licensees unable to meet the minimum path length requirement may be granted an exception to these requirements.

NOTE: Links authorized prior to April 1, 1987, are excluded from this requirement, except that, effective April 1, 1992, the Commission will require compliance with the criteria where an existing link would otherwise preclude establishment of a new link.

[52 FR 7143, Mar. 9, 1987]

§ 74.651 Equipment changes.

(a) Commission authority, upon appropriate formal application (FCC Form 313) therefor, is required for any of the following equipment changes:

(1) Replacement of a specifically authorized transmitter by a transmitter that is not authorized for operation under this subpart pursuant to § 74.655(c).

(2) A change in the frequency of the operating channel or the transmitter output power.

(3) A change in the location of the TV broadcast auxiliary station transmitter or transmitting antenna authorized for use at a fixed location except when the relocation of the transmitter is within the same building.

(4) Any change in the overall height of the antenna structure, except where notice to the Federal Aviation Administration is specifically not required under § 17.14(b) of this chapter.

(5) Any change in the direction of the main radiation lobe of the transmitting antenna.

(b) Other equipment changes not specifically referred to in paragraph (a) of this section may be made at the discretion of the licensee provided that the Federal Communications Commission, Broadcast Auxiliary Radio Services, 1270 Fairfield Road, Gettysburg, Pennsylvania 17325 is promptly notified in writing upon the completion of such changes, and that the changes are described in the notification.

(c) Multiplexing equipment may be installed on any licensed TV broadcast STL, TV relay or translator relay station without authority from the Commission.

(d) Any application proposing a change in the height of the antenna or its location must also include the Antenna Structure Registration Number (FCC Form 854R) of the antenna structure upon which it will locate its proposed antenna. In the event the antenna structure does not have a Registration Number, either the antenna structure owner shall file FCC Form 854 ("Application for Antenna Structure Registration") in accordance with part 17 of this chapter or the applicant shall provide a detailed explanation

§ 74.655

47 CFR Ch. I (10–1–99 Edition)

why registration and clearance are not necessary.

[28 FR 13718, Dec. 14, 1963, as amended at 38 FR 6827, Mar. 13, 1973; 47 FR 54448, Dec. 3, 1982; 47 FR 55938, Dec. 14, 1982; 49 FR 7131, Feb. 27, 1984; 58 FR 19776, Apr. 16, 1993; 61 FR 4368, Feb. 6, 1996; 63 FR 36605, July 7, 1998]

§ 74.655 Authorization of equipment.

(a) Except as provided in paragraph (b) of this section, all transmitting equipment first marketed for use under this subpart or placed into service after October 1, 1981, must be authorized under the certification or verification procedure, as detailed in paragraph (f) of this section. Equipment which is used at a station licensed prior to October 1, 1985, which has not been authorized as detailed in paragraph (f) of this section, may continue to be used by the licensee or its successors or assignees, provided that if operation of such equipment causes harmful interference due to its failure to comply with the technical standards set forth in this subpart, the FCC may, at its discretion, require the licensee to take such corrective action as is necessary to eliminate the interference. However, such equipment may not be further marketed or reused under part 74 after October 1, 1985. Transmitters designed for use in the 31.0 to 31.3 GHz band shall be authorized under the verification procedure.

(b) Certification or verification is not required for transmitters used in conjunction with TV pickup stations operating with a peak output power not greater than 250 mW. Pickup stations operating in excess of 250 mW licensed pursuant to applications accepted for filing prior to October 1, 1980 may continue operation subject to periodic renewal. If operation of such equipment causes harmful interference the FCC may, at its discretion, require the licensee to take such corrective action as is necessary to eliminate the interference.

(c) The license of a TV auxiliary station may replace transmitting equipment with authorized equipment, as detailed under paragraph (f) of this section, without prior FCC approval, provided the proposed changes will not depart from any of the terms of the station or system authorization or the

Commission's technical rules governing this service, and also provided that any changes made to authorized transmitting equipment is in compliance with the provisions of part 2 of the FCC rules concerning modifications to authorized equipment.

(d) Any manufacturer of a transmitter to be used in this service may authorize the equipment under the certification or verification procedure, as appropriate, following the procedures set forth in subpart J of part 2 of the FCC rules.

(e) An applicant for a TV broadcast auxiliary station may also authorize an individual transmitter, as specified in paragraph (f) of this section, by following the procedures set forth in subpart J of part 2 of the FCC rules and regulations.

(f) Transmitters designed to be used exclusively for a TV STL station, a TV intercity relay station, a TV translator relay station, or a TV microwave booster station, shall be authorized under verification. All other transmitters will be authorized under the certification procedure.

[63 FR 36605, July 7, 1998]

§ 74.661 Frequency tolerance.

Stations in this service shall maintain the carrier frequency of each authorized transmitter to within the following percentage of the assigned frequency.

Frequency band (MHz)	Frequency Tolerance	
	Fixed (%)	Mobile (%)
1,990 to 2,110	² 0.005	0.005
6,425 to 6,525		0.005
6,875 to 7,125	² 0.005	0.005
12,700 to 13,250	² 0.005	0.005
17,700 to 18,820	0.003	
18,920 to 19,700	0.003	
31,000 to 31,300	0.03	0.03
38,600 to 40,000	¹ 0.005	¹ 0.005

¹For transmitters with an output power of 50 mW or less, the frequency tolerance need only be 0.05%.

²Television translator relay stations shall maintain a frequency tolerance of 0.002%.

[52 FR 7143, Mar. 9, 1987]

§ 74.662 Frequency monitors and measurements.

The licensee of a television broadcast auxiliary station must provide means for measuring the operating frequency

Federal Communications Commission

§ 74.701

in order to ensure that the emissions are confined to the authorized channel.

[48 FR 38482, Aug. 24, 1983]

§ 74.663 Modulation limits.

If amplitude modulation is employed, negative modulation peaks shall not exceed 100%.

[45 FR 78694, Nov. 26, 1980]

§ 74.664 Posting of station license.

(a) The station license and any other instrument of authorization or individual order concerning the construction of the equipment or manner of operation of the station shall be posted in the room in which the transmitter is located.

(b) Posting of the station license and any other instruments of authorization shall be done by affixing the license to the wall at the posting location, or by enclosing it in a binder or folder which is retained at the posting location so that the document will be readily available and easily accessible.

[28 FR 13718, Dec. 14, 1963, as amended at 48 FR 24385, June 1, 1983; 49 FR 29070, July 18, 1984; 50 FR 40015, Oct. 1, 1985]

§ 74.682 Station identification.

(a) Each television broadcast auxiliary station operating with a transmitter output power of 1 watt or more must, when actually transmitting programs, transmit station identification at the beginning and end of each period of operation, and hourly, as close to the hour as feasible, at a natural break in program offerings by one of the following means:

(1) Transmission of its own call sign by visual or aural means or by automatic transmission in international Morse telegraphy.

(2) Visual or aural transmission of the call sign of the TV broadcast station with which it is licensed as an auxiliary.

(3) Visual or aural transmission of the call sign of the TV broadcast station whose signals are being relayed or, where programs are obtained directly from network lines and relayed, the network identification.

(b) Identification transmissions during operation need not be made when to make such transmission would in-

terrupt a single consecutive speech, play, religious service, symphony concert, or any type of production. In such cases, the identification transmission shall be made at the first interruption of the entertainment continuity and at the conclusion thereof.

(c) During occasions when a television pickup station is being used to deliver program material for network distribution it may transmit the network identification in lieu of its own or associated TV station call sign during the actual program pickup. However, if it is providing the network feed through its own associated TV broadcast station it shall perform the station identification required by paragraph (a) of this section at the beginning and end of each period of operation.

(d) A period of operation is defined as a single uninterrupted transmission or a series of intermittent transmissions from a single location or continuous or intermittent transmission from a television pickup station covering a single event from various locations, within a single broadcast day.

(e) Regardless of the method used for station identification it shall be performed in a manner conducive to prompt association of the signal source with the responsible licensee. In exercising the discretion provided by this rule, licensees are expected to act in a responsible manner to assure that result.

(f) TV microwave booster stations will be assigned individual call signs. However, station identification will be accomplished by the retransmission of identification as provided in paragraph (a) of this section.

[31 FR 15488, Dec. 8, 1966; 32 FR 452, Jan. 17, 1967, as amended at 42 FR 36830, July 18, 1977; 43 FR 1951, Jan. 13, 1978; 44 FR 36041, June 20, 1979; 49 FR 7131, Feb. 27, 1984]

Subpart G—Low Power TV, TV Translator, and TV Booster Stations

§ 74.701 Definitions.

(a) *Television broadcast translator station.* A station in the broadcast service operated for the purpose of retransmitting the programs and signals of a television broadcast station, without significantly altering any characteristic

of the original signal other than its frequency and amplitude, for the purpose of providing television reception to the general public.

(b) *Primary station.* The analog television broadcast station (TV broadcast) or digital television station (DTV) which provides the programs and signals being retransmitted by a television broadcast translator station.

(c) *VHF translator.* A television broadcast translator station operating on a VHF television broadcast channel.

(d) *UHF translator.* A television broadcast translator station operating on a UHF television broadcast channel.

(e) *UHF translator signal booster.* A station in the broadcasting service operated for the sole purpose of retransmitting the signals of the UHF translator station by amplifying and reradiating such signals which have been received directly through space, without significantly altering any characteristic of the incoming signal other than its amplitude.

(f) *Low power TV station.* A station authorized under the provisions of this subpart that may retransmit the programs and signals of a TV broadcast station and that may originate programming in any amount greater than 30 seconds per hour and/or operates a subscription service. (See § 73.641 of part 73 of this chapter.)

(g) *Program origination.* For purposes of this part, program origination shall be any transmissions other than the simultaneous retransmission of the programs and signals of a TV broadcast station. Origination shall include locally generated television program signals and program signals obtained via video recordings (tapes and discs), microwave, common carrier circuits, or other sources.

(h) *Local origination.* Program origination if the parameters of the program source signal, as it reaches the transmitter site, are under the control of the low power TV station licensee. Transmission of TV program signals generated at the transmitter site constitutes local origination. Local origination also includes transmission of programs reaching the transmitter site via TV STL stations, but does not include transmission of signals obtained from either terrestrial or satellite

microwave feeds or low power TV stations.

(i) *Television broadcast booster station.* A station in the broadcast service operated by the licensee or permittee of a full service television broadcast station for the purpose of retransmitting the programs and signals of such primary station without significantly altering any characteristic of the original signal other than its amplitude. A television broadcast booster station may only be located such that its entire service area is located within the protected contour of the primary station it retransmits. For purposes of this paragraph, the service area of the booster and the protected contour of the primary station will be determined by the methods prescribed in § 74.705(c).

[28 FR 13722, Dec. 14, 1963, as amended at 43 FR 1951, Jan. 13, 1978; 47 FR 21497, May 18, 1982; 48 FR 21486, May 12, 1983; 52 FR 7422, Mar. 11, 1987; 52 FR 31403, Aug. 20, 1987; 62 FR 26720, May 14, 1997]

§ 74.702 Channel assignments.

(a) An applicant for a new low power TV or TV translator station or for changes in the facilities of an authorized station shall endeavor to select a channel on which its operation is not likely to cause interference. The applications must be specific with regard to the channel requested. Only one channel will be assigned to each station.

(1) Any one of the 12 standard VHF Channels (2 to 13 inclusive) may be assigned to a VHF low power TV or TV translator station. Channels 5 and 6 assigned in Alaska shall not cause harmful interference to and must accept interference from non-Government fixed operation authorized prior to January 1, 1982.

(2) Any one of the UHF Channels from 14 to 69, inclusive, may be assigned to a UHF low power TV or TV translator station. In accordance with § 73.603(c) of part 73, Channel 37 will not be assigned to such stations.

(3) Application for new low power TV or TV translator stations or for changes in existing stations, specifying operation above 806 MHz will not be accepted for filing. License renewals for existing TV translator stations operating on channels 70 (806–812 MHz)

through 83 (884-890 MHz) will be granted only on a secondary basis to land mobile radio operations.

(b) Changes in the TV Table of Allotments or Digital Television Table of Allotments (§§ 73.606(b) and 73.622(a), respectively, of part 73 of this chapter), authorizations to construct new TV broadcast analog or DTV stations or to authorizations to change facilities of existing such stations, may be made without regard to existing or proposed low power TV or TV translator stations. Where such a change results in a low power TV or TV translator station causing actual interference to reception of the TV broadcast analog or DTV station, the licensee or permittee of the low power TV or TV translator station shall eliminate the interference or file an application for a change in channel assignment pursuant to § 73.3572 of this chapter.

(c) A television broadcast booster station will be authorized on the channel assigned to its primary station.

[47 FR 21497, May 18, 1982, as amended at 47 FR 30068, July 12, 1982; 47 FR 35590, Aug. 18, 1982; 52 FR 7423, Mar. 11, 1987; 52 FR 31403, Aug. 20, 1987; 62 FR 26721, May 14, 1997]

§ 74.703 Interference.

(a) An application for a new low power TV, TV translator, or TV booster station or for a change in the facilities of such an authorized station will not be granted when it is apparent that interference will be caused. Except where there is a written agreement between the affected parties to accept interference, or where it can be shown that interference will not occur due to terrain shielding and/or Longley-Rice terrain dependent propagation methods, the licensee of a new low power TV, TV translator, or TV booster shall protect existing low power TV and TV translator stations from interference within the protected contour defined in § 74.707. Such written agreement shall accompany the application. Guidance on using the Longley-Rice methodology is provided in *OET Bulletin No. 69*. Copies of *OET Bulletin No. 69* may be inspected during normal business hours at the: Federal Communications Commission, 1919 M St., N.W., Dockets Branch (Room 239), Washington, DC 20554. This document is also available

through the Internet on the *FCC Home Page* at <http://www.fcc.gov>.

(b) It shall be the responsibility of the licensee of a low power TV, TV translator, or TV booster station to correct at its expense any condition of interference to the direct reception of the signal of any other TV broadcast analog station and DTV station operating on the same channel as that used by the low power TV, TV translator, or TV booster station or an adjacent channel which occurs as a result of the operation of the low power TV, TV translator, or TV booster station. Interference will be considered to occur whenever reception of a regularly used signal is impaired by the signals radiated by the low power TV, TV translator, or TV booster station, regardless of the quality of the reception or the strength of the signal so used. If the interference cannot be promptly eliminated by the application of suitable techniques, operation of the offending low power TV, TV translator, or TV booster station shall be suspended and shall not be resumed until the interference has been eliminated. If the complainant refuses to permit the low power TV, TV translator, or TV booster station to apply remedial techniques that demonstrably will eliminate the interference without impairment of the original reception, the licensee of the low power TV, TV translator, or TV booster station is absolved of further responsibility. TV booster stations will be exempt from the provisions of this paragraph to the extent that they may cause limited interference to their primary stations' signal subject to the conditions of paragraph (g) of this section.

(c) It shall be the responsibility of the licensee of a low power TV, TV translator, or TV booster station to correct any condition of interference which results from the radiation of radio frequency energy outside its assigned channel. Upon notice by the FCC to the station licensee or operator that such interference is caused by spurious emissions of the station, operation of the station shall be immediately suspended and not resumed

until the interference has been eliminated. However, short test transmissions may be made during the period of suspended operation to check the efficacy of remedial measures.

(d) When a low power TV or TV translator station causes interference to a CATV system by radiations within its assigned channel at the cable headend or on the output channel of any system converter located at a receiver, the earlier user, whether cable system or low power TV or TV translator station, will be given priority on the channel, and the later user will be responsible for correction of the interference. When a low power TV or TV translator station causes interference to an MDS or ITFS system by radiations within its assigned channel on the output channel of any system converter located at a receiver, the earlier user, whether MDS system or low power TV or TV translator station, will be given priority on the channel, and the later user will be responsible for correction of the interference.

(e) Low power TV and TV translator stations are being authorized on a secondary basis to existing land mobile uses and must correct whatever interference they cause to land mobile stations or cease operation.

(f) In each instance where suspension of operation is required, the licensee shall submit a full report to the FCC in Washington, DC, after operation is resumed, containing details of the nature of the interference, the source of the interfering signals, and the remedial steps taken to eliminate the interference.

(g) A TV booster station may not disrupt the existing service of its primary station nor may it cause interference to the signal provided by the primary station within the principal community to be served.

[47 FR 21497, May 18, 1982, as amended at 48 FR 21487, May 12, 1983; 52 FR 31403, Aug. 20, 1987; 53 FR 4169, Feb. 12, 1988; 60 FR 55483, Nov. 1, 1995; 62 FR 26721, May 14, 1997]

§ 74.705 TV broadcast analog station protection.

(a) The TV broadcast station protected contour will be its Grade B contour signal level as defined in § 73.683 and calculated from the authorized

maximum radiated power (without depression angle correction), the horizontal radiation pattern, height above average terrain in the pertinent direction, and the appropriate chart from § 73.699.

(b)(1) An application to construct a new low power TV or TV translator station or change the facilities of an existing station will not be accepted if it specifies a site which is within the protected contour of a co-channel or first adjacent channel TV broadcast station.

(2) Due to the frequency spacing which exists between TV Channels 4 and 5, between Channels 6 and 7, and between Channels 13 and 14, adjacent channel protection standards shall not be applicable to these pairs of channels. (See § 73.603(a) of part 73 of this chapter.)

(3) A UHF low power TV or TV translator construction permit application will not be accepted if it specifies a site within the UHF TV broadcast station's protected contour and proposes operation on a channel either 14 or 15 channels above the channel in use by the TV broadcast station.

(4) A UHF low power TV or TV translator construction permit application will not be accepted if it specifies a site less than 100 kilometers from the transmitter site of a UHF TV broadcast analog station operating on a channel which is the seventh channel above the requested channel, unless it can demonstrate that the service area of the low power TV or TV translator station as established in § 74.707(a) is not located in an area where the TV broadcast analog station is regularly viewed.

(5) An application for a new UHF low power TV or TV translator construction permit, a change of channel, or a major change in facilities pursuant to § 73.3572 of this chapter proposing a maximum effective radiated power of more than 50 kilowatts will not be accepted if it specifies a site less than 32 kilometers from the transmitter site of a UHF TV broadcast analog station operating on a channel which is the second, third, or fourth channel above or below the requested channel.

(c) The low power TV, TV translator, or TV booster station field strength is

calculated from the proposed effective radiated power (ERP) and the antenna height above average terrain (HAAT) in pertinent directions.

(1) For co-channel protection, the field strength is calculated using Figure 9a, 10a, or 10c of § 73.699 (F(50,10) charts) of Part 73 of this chapter.

(2) For low power TV, TV translator, and TV boosters that do not specify the same channel as the TV broadcast station to be protected, the field strength is calculated using Figure 9, 10, or 10b of § 73.699 (F(50,50) charts) of Part 73 of this chapter.

(d) A low power TV, TV translator, or TV booster station application will not be accepted if the ratio in dB of its field strength to that of the TV broadcast station at the protected contour fails to meet the following:

(1) -45 dB for co-channel operations without offset carrier frequency operation or -28 dB for offset carrier frequency operation. An application requesting offset carrier frequency operation must include the following:

(i) A requested offset designation (zero, plus, or minus) identifying the proposed direction of the 10 kHz offset from the standard carrier frequencies of the requested channel. If the offset designation is not different from that of the station being protected, the -45 dB ratio must be used.

(ii) A description of the means by which the low power TV, TV translator, or TV booster station will be maintained within the tolerances specified in § 74.761 for offset operation.

(2) 6 dB when the protected TV broadcast station operates on a VHF channel that is one channel above the requested channel.

(3) 12 dB when the protected TV broadcast station operates on a VHF channel that is one channel below the requested channel.

(4) 15 dB when the protected TV broadcast station operates on a UHF channel that is one channel above or below the requested channel.

(5) 23 dB when the protected TV broadcast station operates on a UHF channel that is fourteen channels below the requested channel.

(6) 6 dB when the protected TV broadcast station operates a UHF

channel that is fifteen channels below the requested channel.

(e) In support of a request for waiver of the interference protection rules, an applicant for a low power TV, TV translator or TV booster may make full use of terrain shielding and Longley-Rice terrain dependent propagation prediction methods to demonstrate that the proposed facility would not be likely to cause interference to TV broadcast stations. Guidance on using the Longley-Rice methodology is provided in *OET Bulletin No. 69*. Copies of *OET Bulletin No. 69* may be inspected during normal business hours at the: Federal Communications Commission, 1919 M St., NW., Dockets Branch (Room 239), Washington, DC 20554. This document is also available through the Internet on the *FCC Home Page* at <http://www.fcc.gov>.

[47 FR 21497, May 18, 1982, as amended at 48 FR 21487, May 12, 1983; 52 FR 31403, Aug. 20, 1987; 62 FR 26721, May 14, 1997]

§ 74.706 Digital TV (DTV) station protection.

(a) For purposes of this section, the DTV station protected service area is the geographic-area in which the field strength of the station's signal exceeds the noise-limited service levels specified in § 73.622(e) of this chapter. The extremity of this area (noise-limited perimeter) is calculated from the authorized maximum radiated power (without depression angle correction), the horizontal radiation pattern, and height above average terrain in the pertinent direction, using the signal propagation method specified in § 73.625(b) of this chapter.

(b)(1) An application to construct a new low power TV or TV translator station or change the facilities of an existing station will not be accepted if it specifies a site which is located within the noise-limited service perimeter of a co-channel DTV station.

(2) Due to the frequency spacing which exists between TV channels 4 and 5, between Channels 6 and 7, and between Channels 13 and 14, adjacent channel protection standards shall not be applicable to these pairs of channels.

(c) The low power TV, TV translator or TV booster station field strength is

§ 74.707

calculated from the proposed effective radiated power (ERP) and the antenna height above average terrain (HAAT) in pertinent directions.

(1) For co-channel protection, the field strength is calculated using Figure 9a, 10a, or 10c of § 73.699 (F(50,10) charts) of part 73 of this chapter.

(2) For adjacent channel protection, the field strength is calculated using Figure 9, 10, or 10b of § 73.699 (F(50,50) charts) of part 73 of this chapter.

(d) A low power TV, TV translator or TV booster station application will not be accepted if the ratio in dB of its field strength to that of the DTV station (L/D ratio) fails to meet the following:

(1) -2 dB or less for co-channel operations. This maximum L/D ratio for co-channel interference to DTV service is only valid at locations where the signal-to-noise (S/N) ratio is 25 dB or greater. At the edge of the noise-limited service area, where the S/N ratio is 16 dB, the maximum L/D ratio for co-channel interference from analog low power TV, TV translator or TV booster service into DTV service is -21 dB. At locations where the S/N ratio is greater than 16 dB but less than 25 dB, the maximum L/D field strength ratios are found from the following Table (for values between measured values, linear interpolation can be used):

Signal-to-noise ratio(dB)	DTV-to-low power ratio (dB)
16.00	21.00
16.35	19.94
17.35	17.69
18.35	16.44
19.35	7.19
20.35	4.69
21.35	3.69
22.35	2.94
23.35	2.44
25.00	2.00

(2) + 48 dB for adjacent channel operations at:

(i) The DTV noise-limited perimeter if a low power TV, TV translator or TV booster station is located outside that perimeter.

(ii) At all points within the DTV noise-limited area if a low power TV or TV translator is located within the

47 CFR Ch. I (10-1-99 Edition)

DTV noise-limited perimeter, as demonstrated by the applicant.

[62 FR 26721, May 14, 1997, as amended at 63 FR 13563, Mar. 20, 1998; 64 FR 4327, Jan. 28, 1999]

§ 74.707 Low power TV and TV translator station protection.

(a)(1) A low power TV or TV translator will be protected from interference from other low power TV or TV translator stations, or TV booster stations within the following predicted contours:

(i) 62 dBu for stations on Channels 2 through 6;

(ii) 68 dBu for stations on Channels 7 through 13; and

(iii) 74 dBu for stations on Channels 14 through 69.

Existing licensees and permittees that did not furnish sufficient data required to calculate the above contours by April 15, 1983 are assigned protected contours having the following radii:

Up to 0.001 kW VHF/UHF—1 mile (1.6 km) from transmitter site

Up to 0.01 kW VHF; up to 0.1 kW UHF—2 miles (3.2 km) from transmitter site

Up to 0.1 kW VHF; up to 1 kW UHF—4 miles (6.4 km) from transmitter site

New applicants must submit the required information; they cannot rely on this table.

(2) The low power TV or TV translator station protected contour is calculated from the authorized effective radiated power and antenna height above average terrain, using Figure 9, 10, or 10b of § 73.699 (F(50,50) charts) of Part 73 of this chapter.

(b)(1) An application to construct a new low power TV, TV translator, or TV booster station or change the facilities of an existing station will not be accepted if it specifies a site which is within the protected contour of a co-channel or first adjacent channel low power TV, TV translator, or TV booster station, except that a TV booster station may be located within the protected contour of its co-channel primary station.

(2) Due to the frequency spacing which exists between TV Channels 4 and 5, between Channels 6 and 7, and between Channels 13 and 14, adjacent channel protection standards shall not

be applicable to these pairs of channels. (See § 73.603(a) of Part 73 of this chapter.)

(3) A UHF low power TV, TV translator, or TV booster construction permit application will not be accepted if it specifies a site within the UHF low power TV, TV translator, or TV booster station's protected contour and proposes operation on a channel that is 15 channels above the channel in use by the low power TV, TV translator, or TV booster station.

(c) The low power TV, TV translator, or TV booster construction permit application field strength is calculated from the proposed effective radiated power (ERP) and the antenna above average terrain (HAAT) in pertinent directions.

(1) For co-channel protection, the field strength is calculated using Figure 9a, 10a, or 10c of § 73.699 (F(50,10) charts) of Part 73 of this chapter.

(2) For low power TV, TV translator, or TV booster applications that do not specify the same channel as the low power TV, TV translator, or TV booster station to be protected, the field strength is calculated using Figure 9, 10, or 10b of § 73.699 (F(50,50) charts) of Part 73 of this chapter.

(d) A low power TV, TV translator, or TV booster station application will not be accepted if the ratio in dB of its field strength to that of the authorized low power TV, TV translator, or TV booster station at its protected contour fails to meet the following:

(1) -45 dB for co-channel operations without offset carrier frequency operation or -28 dB for offset carrier frequency operation. An application requesting offset carrier frequency operation must include the following:

(i) A requested offset designation (zero, plus, or minus) identifying the proposed direction of the 10 kHz offset from the standard carrier frequencies of the requested channel. If the offset designation is not different from that of the station being protected, or if the station being protected is not maintaining its frequencies within the tolerance specified in § 74.761 for offset operation, the -45 dB ratio must be used.

(ii) A description of the means by which the low power TV, TV translator, or TV booster station's fre-

quencies will be maintained within the tolerances specified in § 74.761 for offset operation.

(2) 6 dB when the protected low power TV or TV translator station operates on a VHF channel that is one channel above the requested channel.

(3) 12 dB when the protected low power TV or TV translator station operates on a VHF channel that is one channel below the requested channel.

(4) 15 dB when the protected low power TV or TV translator station operates on a UHF channel that is one channel above or below the requested channel.

(5) 6 dB when the protected low power TV or TV translator station operates on a UHF channel that is fifteen channels below the requested channel.

(e) In support of a request for waiver of the interference protection rules, an applicant for a low power TV or TV translator station may make full use of terrain shielding and Longley-Rice terrain dependent propagation prediction methods to demonstrate that the proposed facility would not be likely to cause interference to low power TV, TV translator and TV booster stations. Guidance on using the Longley-Rice methodology is provided in *OET Bulletin No. 69*. Copies of *OET Bulletin No. 69* may be inspected during normal business hours at the: Federal Communications Commission, 1919 M St., NW., Dockets Branch (Room 239), Washington, DC 20554. This document is also available through the Internet on the *FCC Home Page* at <http://www.fcc.gov>.

[47 FR 21498, May 18, 1982, as amended at 47 FR 35990, Aug. 18, 1982; 48 FR 21487, May 12, 1983; 52 FR 31403, Aug. 20, 1987; 62 FR 26722, May 14, 1997]

§ 74.709 Land mobile station protection.

(a) Stations in the Land Mobile Radio Service, using the following channels in the indicated cities will be protected from interference caused by low power TV or TV translator stations, and low power TV and TV translator stations must accept any interference from stations in the land mobile service operating on the following channels:

City	Channels	Coordinates	
		Latitude	Longitude
Boston, MA	14, 16	42°21'24"	071°03'24"
Chicago, IL	14, 15	41°52'28"	087°38'22"
Cleveland, OH	14, 15	41°29'51"	081°41'50"
Dallas, TX	16	32°47'09"	096°47'37"
Detroit, MI	15, 16	42°19'48"	083°02'57"
Houston, TX	17	29°45'26"	095°21'37"
Los Angeles, CA	14, 20	34°03'15"	118°14'28"
Miami, FL	14	25°46'37"	080°11'32"
New York, NY	14, 15	40°45'06"	073°59'39"
Philadelphia, PA	19, 20	39°56'58"	075°09'21"
Pittsburgh, PA	14, 18	40°26'19"	080°00'00"
San Francisco, CA	16, 17	37°46'39"	122°24'40"
Washington, DC	17, 18	38°53'51"	077°00'33"

(b) The protected contours for the land mobile radio service are 130 kilometers from the above coordinates, except where limited by the following:

(1) If the land mobile channel is the same as the channel in the following list, the land mobile protected contour excludes the area within 145 kilometers of the corresponding coordinates from list below. Except if the land mobile channel is 15 in New York or Cleveland or 16 in Detroit, the land mobile protected contour excludes the area within 95 kilometers of the corresponding coordinates from the list below.

(2) If the land mobile channel is one channel above or below the channel in the following list, the land mobile protected contour excludes the area within 95 kilometers of the corresponding coordinates from the list below.

City	Channel	Coordinates	
		Latitude	Longitude
San Diego, CA	15	32°41'48"	116°56'10"
Waterbury, CT	20	41°31'02"	073°01'00"
Washington, DC	14	38°57'17"	077°00'17"
Washington, DC	20	38°57'49"	077°06'18"
Champaign, IL	15	40°04'11"	087°54'45"
Jacksonville, IL	14	39°45'52"	090°30'29"
Ft. Wayne, IN	15	41°05'35"	085°10'42"
South Bend, IN	16	41°36'20"	086°12'44"
Salisbury, MD	16	38°24'15"	075°34'45"
Mt. Pleasant, MI	14	43°34'24"	084°46'21"
Hanover, NH	15	43°42'30"	072°09'16"
Canton, OH	17	40°51'04"	081°16'37"
Cleveland, OH	19	41°21'19"	081°44'24"
Oxford, OH	14	39°30'26"	084°44'09"
Zanesville, OH	18	39°55'42"	081°59'06"
Elmira-Corning, NY	18	42°06'20"	076°52'17"
Harrisburg, PA	21	40°20'44"	076°52'09"
Johnstown, PA	19	40°19'47"	078°53'45"
Lancaster, PA	15	40°15'45"	076°27'49"
Philadelphia, PA	17	40°02'30"	075°14'24"
Pittsburgh, PA	16	40°26'46"	079°57'51"
Scranton, PA	16	41°10'58"	075°52'21"
Parkersburg, WV	15	39°20'50"	081°33'56"
Madison, WI	15	43°03'01"	089°29'15"

(c) A low power TV or TV translator station application will not be accepted if it specifies a site that is within the protected contour of a co-channel or first adjacent channel land mobile assignment.

(d) The low power TV or TV translator station field strength is calculated from the proposed effective radiated power (ERP) and the antenna height above average terrain (HAAT) in pertinent directions.

(1) The field strength is calculated using Figure 10c of § 73.699 (F(50, 10) charts) of Part 73 of this chapter.

(2) A low power TV or TV translator station application will not be accepted if it specifies the same channel as one of the land mobile assignments and its field strength at the land mobile protected contour exceeds 52 dBu.

(3) A low power TV or TV translator station application will not be accepted if it specifies a channel that is one channel above or below one of the land mobile assignments and its field strength at the land mobile protected contour exceeds 76 dBu.

(e) To protect stations in the Off-shore Radio Service, a low power TV or TV translator station construction permit application will not be accepted if it specifies operation on channels 15, 16, 17 or 18 in the following areas. West Longitude and North Latitude are abbreviated as W.L. and N.L. respectively.

(1) On Channel 15: west of 92°00' W.L.; east of 98°30' W.L.; and south of a line extending due west from 30°30' N.L., 92°00' W.L. to 30°30' N.L., 96°00' W.L.; and then due southwest to 28°00' N.L., 98°30' W.L.

(2) On Channel 16: west of 86°40' W.L.; east of 96°30' W.L.; and south of a line extending due west from 31°00' N.L., 86°40' W.L. to 31°00' N.L., 95°00' W.L. and then due southwest to 29°30' N.L., 96°30' W.L.

(3) On Channel 17: west of 86°30' W.L.; east of 96°00' W.L.; and south of a line extending due west from 31°00' N.L., 86°30' W.L. to 31°30' N.L., 94°00' W.L. and then due southwest to 29°30' N.L., 96°00' W.L.

Federal Communications Commission

§ 74.731

(4) On Channel 18: west of 87°00'W.L.; east of 95°00'W.L.; and south of 31°00'N.L.

[47 FR 21499, May 18, 1982, as amended at 50 FR 12027, Mar. 27, 1985; 50 FR 33942, Aug. 22, 1985]

§ 74.731 Purpose and permissible service.

(a) Television broadcast translator stations and television broadcast booster stations provide a means whereby the signals of television broadcast stations may be retransmitted to areas in which direct reception of such television broadcast stations is unsatisfactory due to distance or intervening terrain barriers.

(b) Except as provided in paragraph (f) of this section, a television broadcast translator station or television broadcast booster station may be used only to receive the signals of a television broadcast station, another television broadcast translator station, a television translator relay station, a television intercity relay station, a television STL station, or other suitable source such as a CARS or common carrier microwave station, for the simultaneous retransmission of the programs and signals of a television broadcast station. Such retransmissions may be accomplished by either:

(1) Reception of the television programs and signals of a television broadcast station directly through space, conversion to a different channel by simple heterodyne frequency conversion and suitable amplification; or,

(2) Modulation and amplification of a video and audio feed, in which case modulating equipment meeting the requirements of § 74.750(d) shall be used.

(c) The transmissions of each television broadcast translator station shall be intended for direct reception by the general public and any other use shall be incidental thereto. A television broadcast translator station shall not be operated solely for the purpose of relaying signals to one or more fixed receiving points for retransmission, distribution, or further relaying.

(d) The technical characteristics of the retransmitted signals shall not be deliberately altered so as to hinder re-

ception on conventional television broadcast receivers.

(e) A television broadcast translator station shall not deliberately retransmit the signals of any station other than the station it is authorized by license to retransmit. Precautions shall be taken to avoid unintentional retransmission of such other signals.

(f) A locally generated radio frequency signal similar to that of a TV broadcast station and modulated with visual and aural information may be connected to the input terminals of a television broadcast translator or low power station for the purposes of transmitting still photographs, slides and voice announcements. The radio frequency signals shall be on the same channel as the normally used off-the-air signal being rebroadcast. When transmitting originations concerning financial support or public service announcements, connection of the locally generated signals shall be made automatically either by means of a time switch or upon receipt of a control signal from the TV station being rebroadcast designed to actuate the switching circuit. The switching circuit will be so designed that the input circuit will be returned to the off-the-air signal within 30 seconds. The connection for emergency transmissions may be made manually. The apparatus used to generate the local signal which is used to modulate the translator or low power station must be capable of producing a visual or aural signal or both which will provide acceptable reception on television receivers designed for the transmission standards employed by TV broadcast stations. The visual and aural materials so transmitted shall be limited to emergency warnings of imminent danger, to local public service announcements and to seeking or acknowledging financial support deemed necessary to the continued operation of the station. Accordingly, the originations concerning financial support and PSAs are limited to 30 seconds each, no more than once per hour. Acknowledgements of financial support may include identification of the contributors, the size and nature of the contribution and advertising messages of contributors. Emergency transmissions shall be no longer or more frequent

§ 74.732

47 CFR Ch. I (10–1–99 Edition)

than necessary to protect life and property.

(g) Low power TV stations may operate under the following modes of service:

(1) As a TV translator station, subject to the requirements of this part;

(2) For origination of programming and commercial matter as defined in § 74.701(f);

(3) For the transmission of subscription television broadcast (STV) programs, intended to be received in intelligible form by members of the public for a fee or charge subject to the provisions of §§ 73.642(e) and 73.644.

(h) A low power TV station may not be operated solely for the purpose of relaying signals to one or more fixed receiving points for retransmission, distribution or relaying.

(i) Low power TV stations are subject to no minimum required hours of operation and may operate in any of the 3 modes described in paragraph (g) of this section for any number of hours.

(j) Television broadcast booster stations provide a means whereby the licensee of a television broadcast station may provide service to areas of low signal strength in any region within the primary station's Grade B contour. The booster station may not be located outside the predicted Grade B of its primary station nor may the predicted Grade B signal of the television booster station extend beyond the predicted Grade B contour of the primary station. A television broadcast booster station is authorized to retransmit only the signals of its primary station; it shall not retransmit the signals of any other stations nor make independent transmissions. However, locally generated signals may be used to excite the booster apparatus for the purpose of conducting tests and measurements essential to the proper installation and maintenance of the apparatus.

(k) The transmissions of a television broadcast booster station shall be intended for direct reception by the general public. Such stations will not be

permitted to establish a point-to-point television relay system.

[28 FR 13722, Dec. 14, 1963, as amended at 43 FR 1951, Jan. 13, 1978; 47 FR 21499, May 18, 1982; 47 FR 40172, Sept. 13, 1982; 48 FR 21487, May 12, 1983; 52 FR 31404, Aug. 20, 1987]

§ 74.732 Eligibility and licensing requirements.

(a) A license for a low power TV or TV translator station may be issued to any qualified individual, organized group of individuals, broadcast station licensee, or local civil governmental body.

(b) More than one low power TV or TV translator station may be licensed to the same applicant whether or not such stations serve substantially the same area. Low power TV and TV translator stations are not counted for purposes of § 73.3555, concerning multiple ownership.

(c) Only one channel will be assigned to each low power TV or TV translator station. Additional low power or translator stations may be authorized to provide additional reception. A separate application is required for each station and each application must be complete in all respects.

(d) The FCC will not act on applications for new low power TV or TV translator stations, for changes in facilities of existing stations, or for changes in output channel tendered by displaced stations pursuant to § 73.3572(a)(1), when such changes will result in a major change until the applicable time for filing a petition to deny has passed pursuant to § 73.3584(c).

(e) A proposal to change the primary TV station being retransmitted or an application of a licensed translator station to include low power TV station operation, i.e., program origination or subscription service will be subject only to a notification requirement.

(f) Applications for transfer of ownership or control of a low power TV or TV translator station will be subject to petitions to deny.

(g) A television broadcast booster station will be authorized only to the licensee or permittee of the television station whose signals the booster will

rebroadcast, to areas within the Grade B contour of the primary station.

(h) No numerical limit is placed on the number of booster stations that may be licensed to a single licensee. A separate license is required for each television broadcast booster station.

[47 FR 21499, May 18, 1982, as amended at 48 FR 21487, May 12, 1983; 49 FR 20504, May 15, 1984; 52 FR 7423, Mar. 11, 1987; 52 FR 10571, Apr. 2, 1987; 52 FR 31404, Aug. 20, 1987]

§ 74.733 UHF translator signal boosters.

(a) The licensee of a UHF television broadcast translator station may be authorized to operate one or more signal boosters for the purpose of providing reception to small shadowed areas within the area intended to be served by the translator.

(b) The transmitting apparatus shall consist of a simple linear radio frequency amplifier, with one or more amplifying stages, which is capable of receiving, amplifying, and retransmitting the signals of the parent translator without significantly altering any electrical characteristic of the received signal other than its amplitude. The maximum power input to the plate of the final radio frequency amplifier shall not exceed 5 watts.

(c) The amplifier shall be equipped with suitable circuits which will automatically cause it to cease radiating if no signal is being received from the parent translator station. Care shall be taken in the design of the apparatus to insure that out-of-band radiation is not excessive and that adequate isolation is maintained between the input and output circuits to prevent unstable operation.

(d) The installation of the apparatus and its associated receiving and transmitting antennas shall be in accordance with accepted principles of good engineering practice. Either horizontal, vertical, or circular polarization of the electric field of the radiated signal may be employed. If the isolation between the input and output circuits depends in part upon the polarization or directive properties of the transmitting and receiving antennas, the installation shall be sufficiently rugged to withstand the normal hazards of the environment.

(e) The operation of a UHF translator signal booster is subject to the condition that no harmful interference is caused to the reception of any station, broadcast or non-broadcast, other than the parent translator. The licensee of the UHF translator signal booster is expected to use reasonable diligence to minimize interference to the direct reception of the parent translator station.

(f) UHF translator signal boosters may be operated unattended. Repairs and adjustments shall be made by a qualified person. The required qualifications are set forth in § 74.750 (g) and (h).

(g) An individual call sign will not be assigned to a UHF translator booster station. The retransmission of the call sign of the parent translator will serve as station identification.

(h) Applications for authority to construct and operate a UHF translator signal booster shall be submitted on FCC Form 346A. No construction of facilities or installation of apparatus at the proposed transmitter site shall be made until a construction permit therefor has been issued by the Commission.

(i) The provisions of § 74.765 concerning posting of station license shall apply to a UHF translator signal booster except that the parent UHF translator call sign, followed by the word "Booster", shall be displayed at the signal booster site.

(j) The provisions of §§ 74.767 and 74.781 concerning marking and lighting of antenna structures and station records, respectively, apply to UHF translator signal boosters.

NOTE: Effective July 11, 1975, no new UHF signal boosters will be authorized. Licensees of such existing boosters may make application for renewal of license or change in facilities on the applicable FCC forms for Television Broadcast Translator Stations (Form 346, for construction permits; 347, for license to cover construction permit; and 303-S, for renewal of license). Report and Order, Docket No. 20372. May 28, 1975.

[28 FR 13722, Dec. 14, 1963, as amended at 40 FR 25022, June 12, 1975; 59 FR 63052, Dec. 7, 1994]

§ 74.734

§ 74.734 Attended and unattended operation.

(a) Low power TV, TV translator, and TV booster stations may be operated without a designated person in attendance if the following requirements are met:

(1) If the transmitter site cannot be promptly reached at all hours and in all seasons, means shall be provided so that the transmitting apparatus can be turned on and off at will from a point that readily is accessible at all hours and in all seasons.

(2) The transmitter also shall be equipped with suitable automatic circuits that will place it in a nonradiating condition in the absence of a signal on the input channel or circuit.

(3) The transmitting and the ON/OFF control, if at a location other than the transmitter site, shall be adequately protected against tampering by unauthorized persons.

(4) A letter notification must be filed with the FCC in Washington, DC, Attention: Video Services Division, Mass Media Bureau, providing the name, address, and telephone number of a person or persons who may be called to secure suspension of operation of the transmitter promptly should such action be deemed necessary by the FCC. Such information shall be kept current by the licensee.

(5) In cases where the antenna and supporting structure are considered to be a hazard to air navigation and are required to be painted and lighted under the provisions of part 17 of the Rules, the licensee shall make suitable arrangements for the daily observations, when required, and lighting equipment inspections required by §§ 17.37 and 17.38 of the FCC rules.

(b) An application for authority to construct a new low power TV station (when rebroadcasting the programs of another station) or TV translator station or to make changes in the facilities of an authorized station, and that proposes unattended operation, shall include an adequate showing as to the manner of compliance with this section.

[47 FR 21500, May 18, 1982, as amended at 48 FR 21487, May 12, 1983; 60 FR 55483, Nov. 1, 1995; 63 FR 33878, June 22, 1998]

47 CFR Ch. I (10–1–99 Edition)

§ 74.735 Power limitations.

(a) The maximum peak effective radiated power (ERP) of an analog low power TV, TV translator, or TV booster station shall not exceed:

(1) 3 kW for VHF channels 2–13; and

(2) 150 kW for UHF channels 14–69.

(b) The maximum ERP of a digital low power TV, TV translator, or TV booster station (average power) shall not exceed:

(1) 300 watts for VHF channels 2–13; and

(2) 15 kW for UHF channels 14–69.

(c) The limits in paragraphs (a) and (b) apply separately to the effective radiated powers that may be obtained by the use of horizontally or vertically polarized transmitting antennas, providing the applicable provisions of §§ 74.705, 74.706, 74.707 and 74.709 are met. For either omnidirectional or directional antennas, where the ERP values of the vertically and horizontally polarized components are not of equal strength, the ERP limits shall apply to the polarization with the larger ERP. Applications proposing the use of directional antenna systems must be accompanied by the following:

(1) Complete description of the proposed antenna system, including the manufacturer and model number of the proposed directional antenna. It is *not* acceptable to label the antenna with only a generic term such as “Yagi” or “Dipole”. A specific model number must be provided. In the case of individually designed antennas with no model number, or in the case of a composite antenna composed of two or more individual antennas, the antenna should be described as a “custom” or “composite” antenna, as appropriate. A full description of the design of the antenna should also be submitted.

(2) Relative field horizontal plane pattern (horizontal polarization only) of the proposed directional antenna. A value of 1.0 should be used for the maximum radiation. The plot of the pattern should be oriented so that 0° corresponds to the maximum radiation of the directional antenna or, alternatively in the case of a symmetrical pattern, to the line of symmetry. The 0° on the plot should be referenced to the actual azimuth with respect to true North.

(3) A tabulation of the relative field pattern required in paragraph (c)(2), of this section. The tabulation should use the same zero degree reference as the plotted pattern, and be tabulated at least every 10°. In addition, tabulated values of all maximas and minimas, with their corresponding azimuths, should be submitted.

(4) All horizontal plane patterns must be plotted to the largest scale possible on unglazed letter-size polar coordinate paper (main engraving approximately 18 cm x 25 cm (7 inches x 10 inches)) using only scale divisions and subdivisions of 1, 2, 2.5 or 5 times 10-nth. Values of field strength on any pattern less than 10% of the maximum field strength plotted on that pattern must be shown on an enlarged scale.

(5) The horizontal plane patterns that are required are the patterns for the complete directional antenna system. In the case of a composite antenna composed of two or more individual antennas, this means that the patterns for the composite antenna composed of two or more individual antennas, not the patterns for each of the individual antennas, must be submitted.

[30 FR 8847, July 14, 1965, as amended at 41 FR 28267, July 9, 1976; 47 FR 21500, May 18, 1982; 48 FR 21487, May 12, 1983; 52 FR 7423, Mar. 11, 1987; 52 FR 31404, Aug. 20, 1987; 58 FR 44951, Aug. 25, 1993; 62 FR 26722, May 14, 1997]

§ 74.736 Emissions and bandwidth.

(a) The license of a low power TV, TV translator, or TV booster station authorizes the transmission of the visual signal by amplitude modulation (A5) and the accompanying aural signal by frequency modulation (F3).

(b) Standard width television channels will be assigned and the transmitting apparatus shall be operated so as to limit spurious emissions to the lowest practicable value. Any emissions including intermodulation products and radio frequency harmonics which are not essential for the transmission of the desired picture and sound information shall be considered to be spurious emissions.

(c) Any emissions appearing on frequencies more than 3 MHz above or below the upper and lower edges, re-

spectively, of the assigned channel shall be attenuated no less than:

(1) 30 dB for transmitters rated at no more than 1 watt power output.

(2) 50 dB for transmitters rated at more than 1 watt power output.

(3) 60 dB for transmitters rated at more than 100 watts power output.

(d) Greater attenuation than that specified in paragraph (c) of this section may be required if interference results from emissions outside the assigned channel.

[28 FR 13722, Dec. 14, 1963, as amended at 33 FR 8677, June 13, 1968; 36 FR 19592, Oct. 8, 1971; 47 FR 21500, May 18, 1982; 52 FR 31404, Aug. 20, 1987]

§ 74.737 Antenna location.

(a) An applicant for a new low power TV, TV translator, or TV booster station or for a change in the facilities of an authorized station shall endeavor to select a site that will provide a line-of-sight transmission path to the entire area intended to be served and at which there is available a suitable signal from the primary station, if any, that will be retransmitted.

(b) The transmitting antenna should be placed above growing vegetation and trees lying in the direction of the area intended to be served, to minimize the possibility of signal absorption by foliage.

(c) A site within 8 kilometers of the area intended to be served is to be preferred if the conditions in paragraph (a) of this section can be met.

(d) Consideration should be given to the accessibility of the site at all seasons of the year and to the availability of facilities for the maintenance and operation of the transmitting equipment.

(e) The transmitting antenna should be located as near as is practical to the transmitter to avoid the use of long transmission lines and the associated power losses.

(f) Consideration should be given to the existence of strong radio frequency fields from other transmitters at the site of the transmitting equipment and the possibility that such fields may result in the retransmissions of signals originating on frequencies other than

that of the primary station being re-broadcast.

[47 FR 21500, May 18, 1982, as amended at 52 FR 31404, Aug. 20, 1987]

§ 74.750 Transmission system facilities.

(a) A low power TV, TV translator, or TV booster station shall operate with a transmitter that is either certificated for licensing under the provisions of this subpart or type notified for use under part 73 of this chapter.

(b) Transmitting antennas, antennas used to receive the signals to be re-broadcast, and transmission lines are not certificated by the FCC. External preamplifiers also may be used provided that they do not cause improper operation of the transmitting equipment, and use of such preamplifiers is not necessary to meet the provisions of paragraph (c) of this section.

(c) The following requirements must be met before low power TV and TV translator transmitters will be certificated by the FCC:

(1) The equipment shall be so designed that the electrical characteristics of a standard television signal introduced into the input terminals will be maintained at the output. The overall response of the apparatus within its assigned channel, when operating at its rated power output and measured at the output terminals, shall provide a smooth curve, varying within limits separated by no more than 4 dB: *Provided, however,* That means may be provided to reduce the amplitude of the aural carrier below those limits, if necessary to prevent intermodulation which would mar the quality of the re-transmitted picture or result in emissions outside of the assigned channel.

(2) Radio frequency harmonics of the visual and aural carriers, measured at the output terminals of the transmitter, shall be attenuated no less than 60 dB below the peak visual output power within the assigned channel. All other emissions appearing on frequencies more than 3 megacycles above or below the upper and lower edges, respectively, of the assigned channel shall be attenuated no less than:

- (i) 30 dB for transmitters rated at no more than 1 watt power output.
- (ii) 50 dB for transmitters rated at more than 1 watt power output.

(iii) 60 dB for transmitters rated at more than 100 watts power output.

(3) When subjected to variations in ambient temperature between minus 30 degrees and plus 50 degrees Centigrade and variations in power main voltage between 85 percent and 115 percent of rated power supply voltage, the local oscillator frequency stability shall maintain the operating frequency within:

(i) 0.02 percent of its rated frequency for transmitters rated at no more than 100 watts peak visual power.

(ii) 0.002 percent of the rated frequency for transmitters rated at more than 100 watts peak visual power.

(iii) Plus or minus 1 kHz of its rated frequency for transmitters to be used at stations employing offset carrier frequency operation.

(4) The apparatus shall contain automatic circuits which will maintain the peak visual power output constant within 2 dB when the strength of the input signal is varied over a range of 30 dB and which will not permit the peak visual power output to exceed the maximum rated power output under any condition. If a manual adjustment is provided to compensate for different average signal strengths, provision shall be made for determining the proper setting for the control, and if improper adjustment of the control could result in improper operation, a label shall be affixed at the adjustment control bearing a suitable warning.

(5) The apparatus must be equipped with automatic controls that will place it in a non-radiating condition when no signal is being received on the input channel, either due to absence of a transmitted signal or failure of the receiving portion of the facilities used for rebroadcasting the signal of another station. The automatic control may include a time delay feature to prevent interruptions caused by fading or other momentary failures of the incoming signal.

(6) The tube or tubes employed in the final radio frequency amplifier shall be of the appropriate power rating to provide the rated power output of the translator. The normal operating constants for operation at the rated power output shall be specified. The apparatus shall be equipped with suitable

meters or meter jacks so that appropriate voltage and current measurements may be made while the apparatus is in operation.

(7) The transmitters of over 0.001 kW peak visual power (0.002 kW when circularly polarized antennas are used) shall be equipped with an automatic keying device that will transmit the call sign of the station, in International Morse Code, at least once each hour during the time the station is in operation when operating in the translator mode retransmitting the programming of a TV broadcast station. However, the identification by Morse Code is not required if the licensee of the low power TV or TV translator station has an agreement with the TV broadcast station being rebroadcast to transmit aurally or visually the low power TV or TV translator station call as provided for in § 74.783. Transmission of the call sign can be accomplished by:

(i) Frequency shift keying; the aural and visual carrier shift shall not be less than 5 kHz or greater than 25 kHz.

(ii) Amplitude modulation of the aural carrier of at least 30% modulation. The audio frequency tone used shall not be within 200 hertz of the Emergency Broadcast System Attention Signal alerting frequencies.

(8) Wiring, shielding, and construction shall be in accordance with accepted principles of good engineering practice.

(d) Low power TV, TV translator and transmitting equipment using a modulation process for either program origination or rebroadcasting TV booster transmitting equipment using a modulation process must meet the following requirements:

(1) The equipment shall meet the requirements of paragraphs (a)(1) and (b)(3) of § 73.687.

(2) The stability of the equipment shall be sufficient to maintain the operating frequency of the aural carrier to $4.5 \text{ MHz} \pm 1 \text{ kHz}$ above the visual carrier when subjected to variations in ambient temperature between 30° and $+50^\circ$ centigrade and variations in power main voltage between 85 and 115 percent of rated power supply voltage.

(e) Certification will be granted only upon a satisfactory showing that the

apparatus is capable of meeting the requirements of paragraphs (c) and (d) of this section. The following procedures shall apply:

(1) Any manufacturer of apparatus intended for use at low power TV, TV translator, or TV booster stations may request certification by following the procedures set forth in part 2, subpart J, of this chapter.

(2) Low power TV, TV translator, and TV booster transmitting apparatus that has been certificated by the FCC will normally be authorized without additional measurements from the applicant or licensee.

(3) Applications for certification of modulators to be used with existing certificated TV translator apparatus must include the specifications electrical and mechanical interconnecting requirements for the apparatus with which it is designed to be used.

(4) Other rules concerning certification, including information regarding withdrawal of type acceptance, modification of certificated equipment and limitations on the findings upon which certification is based, are set forth in part 2, subpart J, of this chapter.

(f) The transmitting antenna system may be designed to produce horizontal, vertical, or circular polarization.

(g) Low power TV, TV translator, or TV booster stations installing new certificated transmitting apparatus incorporating modulating equipment need not make equipment performance measurements and shall so indicate on the station license application. Stations adding new or replacing modulating equipment in existing low power TV, TV translator, or TV booster station transmitting apparatus must have a qualified person examine the transmitting system after installation. This person must certify in the application for the station license that the transmitting equipment meets the requirements of paragraph (d)(1) of this section. A report of the methods, measurements, and results must be kept in the station records. However, stations installing modulating equipment solely

§ 74.751

for the limited local origination of signals permitted by § 74.731 need not comply with the requirements of this paragraph.

[28 FR 13722, Dec. 14, 1963, as amended at 33 FR 8677, June 13, 1968; 36 FR 19592, Oct. 8, 1971; 37 FR 25844, Dec. 5, 1972; 41 FR 17552, Apr. 27, 1976; 43 FR 1951, Jan. 13, 1978; 46 FR 35465, July 8, 1981; 47 FR 21500, May 18, 1982; 47 FR 30496, July 14, 1982; 52 FR 31404, Aug. 20, 1987; 60 FR 55483, Nov. 1, 1995; 62 FR 26722, May 14, 1997; 63 FR 36605, July 7, 1998]

§ 74.751 Modification of transmission systems.

(a) No change, either mechanical or electrical, may be made in apparatus which has been certificated by the Commission without prior authority of the Commission. If such prior authority has been given to the manufacturer of certificated equipment, the manufacturer may issue instructions for such changes citing its authority. In such cases, individual licensees are not required to secure prior Commission approval but shall notify the Commission when such changes are completed.

(b) Formal application (FCC Form 346) is required for any of the following changes:

(1) Replacement of the transmitter as a whole, except replacement with a transmitter of identical power rating which has been certificated by the FCC for use by low power TV, TV translator, and TV booster stations, or any change which could result in a change in the electrical characteristics or performance of the station.

(2) Any change in the transmitting antenna system, including the direction of radiation, directive antenna pattern, antenna gain, transmission line loss characteristics, or height of antenna center of radiation.

(3) Any change in the overall height of the antenna structure, except where notice to the Federal Aviation Administration is specifically not required under § 17.14(b) of this chapter.

(4) Any horizontal change of the location of the antenna structure which would (i) be in excess of 152.4 meters (500 feet), or (ii) require notice to the Federal Aviation Administration pursuant to § 17.7 of the FCC's Rules.

(5) A change in frequency assignment.

47 CFR Ch. I (10–1–99 Edition)

(6) Any changes in the location of the transmitter except within the same building or upon the same pole or tower.

(7) A change of authorized operating power.

(c) Other equipment changes not specifically referred to in paragraphs (a) and (b) of this section may be made at the discretion of the licensee, provided that the FCC in Washington, DC, Attention: Video Services Division, Mass Media Bureau, is notified in writing upon the completion of such changes.

(d) Upon installation of new or replacement transmitting equipment for which prior FCC authority is not required under the provisions of this section, the licensee must place in the station records a certification that the new installation complies in all respects with the technical requirements of this part and the station authorization.

[28 FR 13722, Dec. 14, 1963, as amended at 38 FR 6827, Mar. 13, 1973; 39 FR 38652, Nov. 1, 1974; 45 FR 26067, Apr. 17, 1980; 47 FR 21501, May 18, 1982; 48 FR 41423, Sept. 15, 1983; 50 FR 23710, June 5, 1985; 52 FR 31405, Aug. 20, 1987; 63 FR 33879, June 22, 1998; 63 FR 36605, July 7, 1998]

§ 74.761 Frequency tolerance.

The licensee of a low power TV, TV translator, or TV booster station shall maintain the transmitter output frequencies as set forth below. The frequency tolerance of stations using direct frequency conversion of a received signal and not engaging in offset carrier operation as set forth in paragraph (d) of this section will be referenced to the authorized plus or minus 10 kHz offset, if any, of the primary station.

(a) The visual carrier shall be maintained to within 0.02 percent of the assigned visual carrier frequency for transmitters rated at not more than 100 watts peak visual power.

(b) The visual carrier shall be maintained to within 0.002 percent of the assigned visual carrier frequency for transmitters rated at more than 100 watts peak visual power.

(c) The aural carrier of stations employing modulating equipment shall be maintained at 4.5 MHz \pm 1 kHz above the visual carrier frequency.

(d) The visual carrier shall be maintained to within 1 kHz of the assigned channel carrier frequency if the low power TV, TV translator, or TV booster station is authorized with a specified offset designation in order to provide protection under the provisions of § 74.705 or § 74.707.

[43 FR 1952, Jan. 13, 1978, as amended at 52 FR 31405, Aug. 20, 1987]

§ 74.762 Frequency measurements.

(a) The licensee of a low power TV station, a TV translator, or a TV booster station must measure the carrier frequencies of its output channel as often as necessary to ensure operation within the specified tolerances, and at least once each calendar year at intervals not exceeding 14 months.

(b) In the event that a low power TV, TV translator, or TV booster station is found to be operating beyond the frequency tolerance prescribed in § 74.761, the licensee promptly shall suspend operation of the transmitter and shall not resume operation until transmitter has been restored to its assigned frequencies. Adjustment of the frequency determining circuits of the transmitter shall be made only by a qualified person in accordance with § 74.750(g).

[52 FR 31405, Aug. 20, 1987]

§ 74.763 Time of operation.

(a) A low power TV, TV translator, or TV booster station is not required to adhere to any regular schedule of operation. However, the licensee of a TV translator or TV booster station is expected to provide service to the extent that such is within its control and to avoid unwarranted interruptions in the service provided.

(b) In the event that causes beyond the control of the low power TV or TV translator station licensee make it impossible to continue operating, the licensee may discontinue operation for a period of not more than 30 days without further authority from the FCC. Notification must be sent to the FCC in Washington, DC, Attention: Video Services Division, Mass Media Bureau, not later than the 10th day of discontinued operation. During such period, the licensee shall continue to adhere to the requirements in the station license

pertaining to the lighting of antenna structures. In the event normal operation is restored prior to the expiration of the 30 day period, the FCC in Washington, DC, Attention: Video Services Division, Mass Media Bureau, shall be notified in writing of the date normal operations resumed. If causes beyond the control of the licensee make it impossible to comply within the allowed period, a request for Special Temporary Authority (see § 73.1635 of this chapter) shall be made to the FCC no later than the 30th day for such additional time as may be deemed necessary.

(c) Failure of a low power TV, TV translator, or TV booster station to operate for a period of 30 days or more, except for causes beyond the control of the licensee, shall be deemed evidence of discontinuation of operation and the license of the station may be cancelled at the discretion of the FCC. Furthermore, the station's license will expire as a matter of law, without regard to any causes beyond control of the licensee, if the station fails to transmit broadcast signals for any consecutive 12-month period, notwithstanding any provision, term, or condition of the license to the contrary.

(d) A television broadcast translator station shall not be permitted to radiate during extended periods when signals of the primary station are not being retransmitted.

[28 FR 13722, Dec. 14, 1963, as amended at 52 FR 7423, Mar. 11, 1987; 52 FR 31405, Aug. 20, 1987; 61 FR 28768, June 6, 1996; 63 FR 33879, June 22, 1998]

§ 74.765 Posting of station and operator licenses.

(a) The station license and any other instrument of authorization or individual order concerning the construction of the station or manner of operation shall be kept in the station record file so as to be available for inspection upon request of authorized representatives of the FCC.

(b) The call sign of the station, together with the name, address, and telephone number of the licensee or local representative of the licensee, if the licensee does not reside in the community served by the station, and the name and address of the person and

§ 74.769

place where the station records are maintained, shall be displayed at the transmitter site on the structure supporting the transmitting antenna, so as to be visible to a person standing on the ground. The display shall be maintained in legible condition by the licensee.

[47 FR 21502, May 18, 1982, as amended at 52 FR 7423, Mar. 11, 1987; 60 FR 55483, Nov. 1, 1995]

§ 74.769 Copies of rules.

The licensee or permittee of a station authorized under this subpart shall have a current copy of Volume I and Volume III of the Commission's Rules. Each such licensee or permittee shall be familiar with those rules relating to stations authorized under this subpart. Copies of the Commission's rules may be obtained from the Superintendent of Documents, Government Printing Office, Washington, DC 20402.

[60 FR 55483, Nov. 1, 1995]

§ 74.780 Broadcast regulations applicable to translators, low power, and booster stations.

The following rules are applicable to TV translator, low power TV, and TV booster stations:

Section 73.653—Operation of TV aural and visual transmitters.

Section 73.658—Affiliation agreements and network program practices; territorial exclusivity in non-network program arrangements.

Part 73, Subpart G—Emergency Broadcast System (for low power TV stations locally originating programming as defined by § 74.701(h)).

Section 73.1201—Station identification (for low power TV stations locally originating programming as defined by § 74.701(h)).

Section 73.1206—Broadcast of telephone conversations.

Section 73.1207—Rebroadcasts.

Section 73.1208—Broadcast of taped, filmed or recorded material.

Section 73.1211—Broadcast of lottery information.

Section 73.1212—Sponsorship identifications; list retention, related requirements.

Section 73.1216—Licensee conducted contests.

Section 73.1510—Experimental authorizations.

Section 73.1515—Special field test authorizations.

47 CFR Ch. I (10–1–99 Edition)

Section 73.1615—Operation during modifications of facilities.

Section 73.1635—Special temporary authorizations (STA).

Section 73.1650—International broadcasting agreements.

Section 73.1680—Emergency antennas.

Section 73.1692—Construction near or installations on an AM broadcast tower.

Section 73.1940—Broadcasts by candidates for public office.

Section 73.2080—Equal employment opportunities (for low power TV stations only).

Section 73.3500—Application and report forms.

Section 73.3511—Applications required.

Section 73.3512—Where to file; number of copies.

Section 73.3513—Signing of applications.

Section 73.3514—Content of applications.

Section 73.3516—Specification of facilities.

Section 73.3517—Contingent applications.

Section 73.3518—Inconsistent or conflicting applications.

Section 73.3519—Repetitious applications.

Section 73.3521—Mutually exclusive applications for low power TV and TV translator stations.

Section 73.3522—Amendment of applications.

Section 73.3525—Agreements for removing application conflicts.

Section 73.3533—Application for construction permit or modification of construction permit.

Section 73.3534—Application for extension of construction permit or for construction permit to replace expired construction permit.

Section 73.3536—Application for license to cover construction permit.

Section 73.3538 (a)(1)(3)(4), (b)(2)—Application to make changes in existing station.

Section 73.3539—Application for renewal of license.

Section 73.3540—Application for voluntary assignment of transfer of control.

Section 73.3541—Application for involuntary assignment or transfer of control.

Section 73.3542—Application for emergency authorization.

Section 73.3544—Application to obtain a modified station license.

Section 73.3545—Application for permit to deliver programs to foreign stations.

Section 73.3550—Requests for new or modified call sign assignments.

Section 73.3561—Staff consideration of applications requiring Commission action.

Section 73.3562—Staff consideration of applications not requiring action by the Commission.

Section 73.3564—Acceptance of applications.

Section 73.3566—Defective applications.

Section 73.3568—Dismissal of applications.

Federal Communications Commission

§ 74.783

Section 73.3572—Processing of TV broadcast, low power TV, and TV translator station applications.

Section 73.3580—Local public notice of filing of broadcast applications.

Section 73.3584—Petitions to deny.

Section 73.3587—Informal objections.

Section 73.3591—Grants without hearing.

Section 73.3593—Designation for hearing.

Section 73.3594—Local public notice of designation for hearing.

Section 73.3597—Procedures on transfer and assignment applications.

Section 73.3598—Period of construction.

Section 73.3599—Forfeiture of construction permit.

Section 73.3601—Simultaneous modification and renewal of license.

Section 73.3603—Special waiver procedure relative to applications.

Section 73.3612—Annual employment report (for low power TV stations only).

Section 73.3613—Filing of contracts (network affiliation contracts for low power TV stations only).

[52 FR 7423, Mar. 11, 1987, as amended at 52 FR 25867, July 9, 1987; 52 FR 31405, Aug. 20, 1987; 56 FR 28099, June 19, 1991; 59 FR 31557, June 20, 1994; 62 FR 51063, Sept. 30, 1997]

§ 74.781 Station records.

(a) The licensee of a low power TV, TV translator, or TV booster station shall maintain adequate station records, including the current instrument of authorization, official correspondence with the FCC, contracts, permission for rebroadcasts, and other pertinent documents.

(b) Entries required by § 17.49 of this Chapter concerning any observed or otherwise known extinguishment or improper functioning of a tower light:

(1) The nature of such extinguishment or improper functioning.

(2) The date and time the extinguishment or improper operation was observed or otherwise noted.

(3) The date, time and nature of adjustments, repairs or replacements made.

(c) The station records shall be maintained for inspection at a residence, office, or public building, place of business, or other suitable place, in one of the communities of license of the translator or booster, except that the station records of a booster or translator licensed to the licensee of the primary station may be kept at the same place where the primary station records are kept. The name of the per-

son keeping station records, together with the address of the place where the records are kept, shall be posted in accordance with § 74.765(c) of the rules. The station records shall be made available upon request to any authorized representative of the Commission.

(d) Station logs and records shall be retained for a period of two years.

[48 FR 44806, Sept. 30, 1983, as amended at 52 FR 31405, Aug. 20, 1987]

§ 74.783 Station identification.

(a) Each low power TV and TV translator station not originating local programming as defined by § 74.701(h) operating over 0.001 kw peak visual power (0.002 kw when using circularly polarized antennas) must transmit its station identification as follows:

(1) By transmitting the call sign in International Morse Code at least once each hour. This transmission may be accomplished by means of an automatic device as required by § 74.750(c)(7). Call sign transmission shall be made at a code speed not in excess of 20 words per minute; or

(2) By arranging for the primary station, whose signal is being rebroadcast, to identify the translator station by transmitting an easily readable visual presentation or a clearly understandable aural presentation of the translator station's call letters and location. Two such identifications shall be made between 7 a.m. and 9 a.m. and 3 p.m. and 5 p.m. each broadcast day at approximately one hour intervals during each time period. Television stations which do not begin their broadcast day before 9 a.m. shall make these identifications in the hours closest to these time periods at the specified intervals.

(b) Licensees of television translators whose station identification is made by the television station whose signals are being rebroadcast by the translator, must secure agreement with this television station licensee to keep in its file, and available to FCC personnel, the translator's call letters and location, giving the name, address and telephone number of the licensee or his service representative to be contacted in the event of malfunction of the

translator. It shall be the responsibility of the translator licensee to furnish current information to the television station licensee for this purpose.

(c) A low power TV station shall comply with the station identification procedures given in § 73.1201 when locally originating programming, as defined by § 74.701(h). The identification procedures given in paragraphs (a) and (b) are to be used at all other times.

(d) Call signs for low power TV and TV translator stations will be made up of the initial letter K or W followed by the channel number assigned to the station and two additional letters. The use of the initial letter generally will follow the pattern used in the broadcast service, i.e., stations west of the Mississippi River will be assigned an initial letter K and those east, the letter W. The two letter combinations following the channel number will be assigned in order and requests for the assignment of the particular combinations of letters will not be considered. The channel number designator for Channels 2 through 9 will be incorporated in the call sign as a 2-digit number, i.e., 02, 03, . . . , so as to avoid similarities with call signs assigned to amateur radio stations.

(e) Low power TV permittees or licensees may request that they be assigned four-letter call signs in lieu of the five-character alpha-numeric call signs described in paragraph (d) of this section. Parties requesting four-letter call signs are to follow the procedures delineated in § 73.3550 of this chapter. Such four-letter call signs shall begin with K or W; stations west of the Mississippi River will be assigned an initial letter K and stations east of the Mississippi River will be assigned an initial letter W. The four-letter call sign will be followed by the suffix “-LP.”

(f) TV broadcast booster station shall be identified by their primary stations by broadcasting of the primary station's call letters and location in accordance with the provisions of § 73.1201 of this chapter.

[41 FR 17552, Apr. 27, 1976, as amended at 47 FR 21502, May 18, 1982; 52 FR 7424, Mar. 11, 1987; 52 FR 31405, Aug. 20, 1987; 59 FR 31557, June 20, 1994; 63 FR 71604, Dec. 29, 1998]

§ 74.784 Rebroadcasts.

(a) The term *rebroadcast* means the reception by radio of the programs or other signals of a radio or television station and the simultaneous or subsequent retransmission of such programs or signals for direct reception by the general public.

(b) The licensee of a low power TV or TV translator station shall not rebroadcast the programs of any other TV broadcast station or other station authorized under the provisions of this Subpart without obtaining prior consent of the station whose signals or programs are proposed to be retransmitted. The FCC, Attention: Video Services Division, Mass Media Bureau, shall be notified of the call letters of each station rebroadcast, and the licensee of the low power TV or TV broadcast translator station shall certify it has obtained written consent from the licensee of the station whose programs are being retransmitted.

(c) A TV translator station may rebroadcast only programs and signals that are simultaneously transmitted by a TV broadcast station.

(d) A TV booster station may rebroadcast only programs and signals that are simultaneously transmitted by the primary station to which it is authorized.

(e) The provisions of § 73.1207 of part 73 of this chapter apply to low power TV stations in transmitting any material during periods of program origination obtained from the transmissions of any other type of station.

(Sec. 325, 48 Stat. 1091; 47 U.S.C. 325)

[28 FR 13722, Dec. 14, 1963, as amended at 47 FR 21502, May 18, 1982; 52 FR 31405, Aug. 20, 1987; 63 FR 33879, June 22, 1998]

Subpart H—Low Power Auxiliary Stations

§ 74.801 Definitions.

Cable television system operator. A cable television operator is defined in § 76.5(cc) of the rules.

Low power auxiliary station. An auxiliary station authorized and operated pursuant to the provisions set forth in this subpart. Devices authorized as low power auxiliary stations are intended

Federal Communications Commission

§ 74.831

to transmit over distances of approximately 100 meters for uses such as wireless microphones, cue and control communications, and synchronization of TV camera signals.

Motion picture producer. Motion picture producer refers to a person or organization engaged in the production or filming of motion pictures.

Television program producer. Television program producer refers to a person or organization engaged in the production of television programs.

(Sec. 5, 48 Stat. 1068; 47 U.S.C. 155)

[42 FR 14729, March 16, 1977, as amended at 43 FR 14662, Apr. 7, 1978; 51 FR 4603, Feb. 6, 1986; 51 FR 9966, Mar. 24, 1986; 54 FR 41842, Oct. 12, 1989]

§ 74.802 Frequency assignment.

(a) Frequencies within the following bands may be assigned for use by low power auxiliary stations:

26.100–26.480 MHz
54.000–72.000 MHz
76.000–88.000 MHz
161.625–161.775 MHz (except in Puerto Rico or the Virgin Islands)
174.000–216.000 MHz
450.000–451.000 MHz
455.000–456.000 MHz
470.000–488.000 MHz
488.000–494.000 MHz (except Hawaii)
494.000–608.000 MHz
614.000–806.000 MHz
944.000–952.000 MHz

(b) Operations in the bands allocated for TV broadcasting, listed below, are limited to locations removed from existing co-channel TV broadcast stations by not less than the following distances unless otherwise authorized by the FCC. (See § 73.609 for zone definitions.)

(1) 54.000–72.000 MHz and 76.000–88.000 MHz:

Zone I 105 km (65 miles)
Zones II and III 129 km (80 miles)

(2) 174.000–216.000 MHz

Zone I 97 km (60 miles)
Zones II and III 129 km (80 miles)

(3) 480.000–608.000 MHz and 614.000–806.000 MHz

All zones 113 km (70 miles)

(c) Specific frequency operation is required when operating within the bands allocated for TV broadcasting.

(1) The frequency selection shall be offset from the upper or lower band limits by 25 kHz or an integral multiple thereof.

(2) One or more adjacent 25 kHz segments within the assignable frequencies may be combined to form a channel whose maximum bandwidth shall not exceed 200 kHz.

(d) Low power auxiliary licensees will not be granted exclusive frequency assignments.

[52 FR 2535, Jan. 23, 1987]

§ 74.803 Frequency selection to avoid interference.

(a) Where two or more low power auxiliary licensees need to operate in the same area, the licensees shall endeavor to select frequencies or schedule operation in such manner as to avoid mutual interference. If a mutually satisfactory arrangement cannot be reached, the Commission shall be notified and it will specify the frequency or frequencies to be employed by each licensee.

(b) The selection of frequencies in the bands allocated for TV broadcasting for use in any area shall be guided by the need to avoid interference to TV broadcast reception. In these bands, low power auxiliary station usage is secondary to TV broadcasting and land mobile stations operating in the UHF-TV spectrum and must not cause harmful interference. If such interference occurs, low power auxiliary station operation must immediately cease and may not be resumed until the interference problem has been resolved.

[42 FR 14729, Mar. 16, 1977, as amended at 52 FR 2535, Jan. 23, 1987]

§ 74.831 Scope of service and permissible transmissions.

The license for a low power auxiliary station authorizes the transmission of cues and orders to production personnel and participants in broadcast programs and motion pictures and in the preparation therefor, the transmission of program material by means of a wireless microphone worn by a performer and other participants in a program or motion picture during rehearsal and during the actual broadcast, filming, or recording, or the

transmission of comments, interviews, and reports from the scene of a remote broadcast. Low power auxiliary stations operating in the 944–952 MHz band may, in addition, transmit synchronizing signals and various control signals to portable or hand-carried TV cameras which employ low power radio signals in lieu of cable to deliver picture signals to the control point at the scene of a remote broadcast.

[42 FR 14729, Mar. 16, 1977, as amended at 51 FR 4603, Feb. 6, 1986]

§ 74.832 Licensing requirements and procedures.

(a) A license authorizing operation of one or more low power auxiliary stations will be issued only to the following:

(1) A licensee of an AM, FM, TV, or International broadcast station or low power TV station. Low power auxiliary stations will be licensed for use with a specific broadcast or low power TV station or combination of stations licensed to the same licensee within the same community.

(2) A broadcast network entity.

(3) A cable television system operator who operates a cable system that produces program material for origination or access cablecasting, as defined in § 76.5(r).

(4) Motion picture producers as defined in § 74.801.

(5) Television program producers as defined in § 74.801.

(6) Licensees and conditional licensees of stations in the Multipoint Distribution Service and Multichannel Multipoint Distribution Service as defined in § 21.2 of this chapter, or entities that hold an executed lease agreement with an MDS or MMDS licensee or conditional licensee or with an Instructional Television Fixed Service licensee or permittee.

(b) An application for a new or renewal of low power auxiliary license shall specify the frequency band or bands desired. Only those frequency bands necessary for satisfactory operation shall be requested.

(c) Licensees of AM, FM, TV, and International broadcast stations; low power TV stations; and broadcast network entities may be authorized to operate low power auxiliary stations in

the frequency bands set forth in § 74.802(a).

(d) Cable television operations, motion picture and television program producers may be authorized to operate low power auxiliary stations only in the bands allocated for TV broadcasting.

(e) An application for low power auxiliary stations or for a change in an existing authorization shall specify the broadcast station, combination of such stations, or the network with which the low power broadcast auxiliary facilities are to be principally used as given in paragraph (h) of this section; or it shall specify the motion picture or television production company or the cable television operator with which the low power broadcast auxiliary facilities are to be solely used. A single application, filed in duplicate on FCC Form 313 may be used in applying for the authority to operate one or more low power auxiliary units. The application must specify the number of units to be operated and the frequency bands which will be used. Motion picture producers, television program producers, and cable television operators are required to attach a single sheet to their application form explaining in detail the manner in which the eligibility requirements given in paragraph (a) of this section are met.

(f) Applications for the use of the bands allocated for TV broadcasting must specify the usual area of operation within which the low power auxiliary station will be used. This area of operation may, for example, be specified as the metropolitan area in which the broadcast licensee serves, or the usual area within which motion picture and television producers are operating. Because low power auxiliary stations operating in these bands will only be permitted in areas removed from existing co-channel TV broadcast stations, licensees have full responsibility to ensure that operation of their stations does not occur at distances less than those specified in § 74.802(b).

(g) Low power auxiliary licenses will specify the minimum and maximum number of units that may be operated as follows: from 1 to 5 stations; from 4 to 12 stations; from 10 to 24 stations;

from 20 to 50 stations; 45 or more stations.

(h) For broadcast licensees, low power auxiliary stations will be licensed for use with a specific broadcast station or combination of broadcast stations licensed to the same licensee and to the same community. Licensing of low power auxiliary stations for use with a specific broadcast station or combination of such stations does not preclude their use with other broadcast stations of the same or a different licensee at any location. Operation of low power auxiliary stations outside the area of operation specified in the authorization, or in other bands is permitted without further authority of the Commission. However, operation of low power auxiliary stations shall, at all times, be in accordance with the requirements of § 74.882 of this subpart. Also, a low power auxiliary station that is being used with a broadcast station or network other than one with which it is licensed, must, in addition to meeting the requirements of § 74.861 of this subpart, not cause harmful interference to another low power auxiliary station which is being used with the broadcast station(s) or network with which it is licensed.

(i) In case of permanent discontinuance of operation of a station licensed under this subpart, the licensee shall forward the station license to the Federal Communications Commission, Broadcast Auxiliary Radio Services, 1270 Fairfield Road, Gettysburg, Pennsylvania 17325 for cancellation.

(j) The license shall be retained in the licensee's files at the address shown on the authorization, posted at the transmitter, or posted at the control point of the station.

[42 FR 14729, Mar. 16, 1977, as amended at 47 FR 9221, Mar. 4, 1982; 47 FR 21503, May 18, 1982; 47 FR 55938, Dec. 14, 1982; 51 FR 4603, Feb. 6, 1986; 51 FR 9966, Mar. 24, 1986; 52 FR 2535, Jan. 23, 1987; 55 FR 46012, Oct. 31, 1990; 58 FR 19776, Apr. 16, 1993]

§ 74.833 Temporary authorizations.

(a) Special temporary authority may be granted for low power auxiliary station operation which cannot be conducted in accordance with § 74.24. Such authority will normally be granted only for operations of a temporary na-

ture. Where operation is seen as likely on a continuing annual basis, an application for a regular authorization should be submitted.

(b) A request for special temporary authority for the operation of a low power auxiliary station may be made by informal application, which shall be filed with the Commission in Washington at least 10 days prior to the date of the proposed operation: *Provided*, That, an application filed within less than 10 days of the proposed operation may be accepted upon a satisfactory showing of the reasons for the delay in submitting the request.

(c) An informal request for special temporary authority requiring payment of a fee shall be addressed to the FCC at Federal Communications Commission, Broadcast Auxiliary Radio Services, P.O. Box 358700, Pittsburgh, PA 15251-5700. An informal request for special temporary authority not requiring payment of a fee shall be addressed to the FCC at Federal Communications Commission, 1270 Fairfield Road, Gettysburg, Pennsylvania 17325. All requests must include full particulars including: Applicant's name, statement of eligibility, call letters of associated broadcast station or stations, if any, name and address of individual designated to receive the return telegram, type and manufacturer of equipment, power output, emission, frequency or frequencies proposed to be used, commencement and termination date, location of proposed operation, and purpose for which request is made including any particular justification.

(d) A request for special temporary authority shall specify a frequency band consistent with the provisions of § 74.802: *Provided*, That, in the case of events of wide-spread interest and importance which cannot be transmitted successfully on these frequencies, frequencies assigned to other services may be requested upon a showing that operation thereon will not cause interference to established stations: *And provided further*, In no case will operation of a low power auxiliary broadcast station be authorized on frequencies employed for the safety of life and property.

§ 74.851

(e) The user shall have full control over the transmitting equipment during the period it is operated.

(f) Special temporary authority to permit operation of low power auxiliary stations pending Commission action on an application for regular authority will not normally be granted.

[42 FR 14729, Mar. 16, 1977, as amended at 47 FR 9221, Mar. 4, 1982; 47 FR 55939, Dec. 14, 1982; 58 FR 19776, Apr. 16, 1993]

§ 74.851 Certification of equipment.

(a) Applications for new low power auxiliary stations will not be accepted unless the transmitting equipment specified therein has been certificated for use pursuant to provisions of this subpart.

(b) Any manufacturer of a transmitter to be used in this service may apply for certification for such transmitter following the certification procedure set forth in part 2 of the Commission's Rules and Regulations. Attention is also directed to part 1 of the Commission's Rules and Regulations which specifies the fees required when filing an application for certification.

(c) An applicant for a low power auxiliary station may also apply for certification for an individual transmitter by following the certification procedure set forth in part 2 of the Commission's Rules and Regulations. The application for certification must be accompanied by the proper fees as prescribed in part 1 of the Commission's Rules and Regulations.

(d) Low power auxiliary station equipment authorized to be used pursuant to an application accepted for filing prior to December 1, 1977 may continue to be used by the licensee or its successors or assignees: *Provided, however,* If operation of such equipment causes harmful interference due to its failure to comply with the technical standards set forth in this subpart, the Commission may, at its discretion, require the licensee to take such corrective action as is necessary to eliminate the interference.

(e) Each instrument of authority which permits operation of a low power auxiliary station using equipment which has not been certificated will specify the particular transmitting

47 CFR Ch. I (10–1–99 Edition)

equipment which the licensee is authorized to use.

(f) All transmitters marketed for use under this subpart shall be certificated by the Federal Communications Commission for this purpose. (Refer to subpart I of part 2 of the Commission's rules and regulations.)

(Sec. 5, 48 Stat. 1068; 47 U.S.C. 155)

[42 FR 14729, Mar. 16, 1977, as amended at 42 FR 43637, Aug. 22, 1977; 43 FR 13576, Mar. 31, 1978; 63 FR 36605, July 7, 1998]

§ 74.852 Equipment changes.

(a) The licensee of a low power auxiliary station may make any changes in the equipment that are deemed desirable or necessary, including replacement with certificated equipment, without prior Commission approval: *Provided,* The proposed changes will not depart from any of the terms of the station authorization or the Commission's technical rules governing this service: *And provided further,* That any changes made to certificated transmitted equipment shall be in compliance with the provisions of part 2 of the Commission's rules and regulations concerning modification of certificated equipment.

(b) Any equipment changes made pursuant to paragraph (a) of this section shall be set forth in the next application for renewal of license.

(Sec. 5, 48 Stat. 1068; 47 U.S.C. 155)

[42 FR 14729, Mar. 16, 1977, as amended at 43 FR 13576, Mar. 31, 1978; 63 FR 36605, July 7, 1998]

§ 74.861 Technical requirements.

(a) Transmitter power is the power at the transmitter output terminals and delivered to the antenna, antenna transmission line, or any other impedance-matched, radio frequency load. For the purpose of this subpart, the transmitter power is the carrier power.

(b) Each authorization for a new low power auxiliary station shall require the use of certificated equipment. Such equipment shall be operated in accordance with the emission specifications included in the certification grant and as prescribed in paragraphs (c) through (e) of this section.

(c) Low power auxiliary transmitters not required to operate on specific carrier frequencies shall operate sufficiently within the authorized frequency band edges to insure the emission bandwidth falls entirely within the authorized band.

(d) For low power auxiliary stations operating in the bands other than those allocated for TV broadcasting, the following technical requirements are imposed.

(1) The maximum transmitter power which will be authorized is 1 watt. Licensees may accept the manufacturer's power rating; however, it is the licensee's responsibility to observe specified power limits.

(2) If a low power auxiliary station employs amplitude modulation, modulation shall not exceed 100 percent on positive or negative peaks.

(3) The occupied bandwidth shall not be greater than that necessary for satisfactory transmission and, in any event, an emission appearing on any discrete frequency outside the authorized band shall be attenuated, at least, $43+10 \log_{10}$ (mean output power, in watts) dB below the mean output power of the transmitting unit.

(e) For low power auxiliary stations operating in the bands allocated for TV broadcasting, the following technical requirements apply:

(1) The power of the measured unmodulated carrier power at the output of the transmitter power amplifier (antenna input power) may not exceed the following:

(i) 54–72, 76–88, and 174–216 MHz bands—50 mW

(ii) 470–608 and 614–806 MHz bands—250 mW

(2) Transmitters may be either crystal controlled or frequency synthesized.

(3) Any form of modulation may be used. A maximum deviation of ± 75 kHz is permitted when frequency modulation is employed.

(4) The frequency tolerance of the transmitter shall be 0.005 percent.

(5) The operating bandwidth shall not exceed 200 kHz.

(6) The mean power of emissions shall be attenuated below the mean output power of the transmitter in accordance with the following schedule:

(i) On any frequency removed from the operating frequency by more than 50 percent up to and including 100 percent of the authorized bandwidth: at least 25 dB;

(ii) On any frequency removed from the operating frequency by more than 100 percent up to and including 250 percent of the authorized bandwidth: at least 35 dB;

(iii) On any frequency removed from the operating frequency by more than 250 percent of the authorized bandwidth: at least $43+10\log_{10}$ (mean output power in watts) dB.

(f) Unusual transmitting antennas or antenna elevations shall not be used to deliberately extend the range of low power auxiliary stations beyond the limited areas defined in § 74.831.

(g) Low power auxiliary stations shall be operated so that no harmful interference is caused to any other class of station operating in accordance with Commission's rules and regulations and with the Table of Frequency Allocations in part 2 thereof.

(h) In the event a station's emissions outside its authorized frequency band causes harmful interference, the Commission may, at its discretion, require the licensee to take such further steps as may be necessary to eliminate the interference.

(Sec. 5, 48 Stat. 1068; 47 U.S.C. 155)

[43 FR 13576, Mar. 31, 1978, as amended at 52 FR 2535, Jan. 23, 1987; 63 FR 36605, July 7, 1998]

§ 74.882 Station identification.

Call signs will not be assigned to low power auxiliary stations. In lieu thereof, for transmitters used for voice transmissions and having a transmitter output power exceeding 50 mW, an announcement shall be made at the beginning and end of each period of operation at a single location, over the transmitting unit being operated, identifying the transmitting unit designator, its location, and the call sign of the broadcasting station or name of the licensee with which it is being used. A period of operation may consist of a continuous transmission or intermittent transmissions pertaining to a single event.

[42 FR 14729, Mar. 16, 1977]

Subpart I—Instructional Television Fixed Service

SOURCE: 28 FR 13731, Dec. 14, 1963, unless otherwise noted.

§ 74.901 Definitions.

Attended operation. Operation of a station by a designated person on duty at the place where the transmitting apparatus is located with the transmitter in the person's plain view.

Booster service area. A geographic area to be designated by an applicant for a booster station, within which the booster station shall be entitled to protection against interference as set forth in this part. The booster service area must be specified by the applicant so as to not overlap the booster service area of any other booster authorized to or proposed by the applicant. However, a booster station may provide service to receive sites outside of its booster service area, at the licensee's risk of interference. The booster station must be capable of providing substantial service within the designated booster service area.

Channel. Unless otherwise specified, a channel under this part shall refer to a 6 MHz frequency block assigned pursuant to §§ 21.901(b) of this chapter or 74.902(a).

Equivalent Isotropically Radiated Power (EIRP). The product of the power supplied to the antenna and the antenna gain in a given direction relative to an isotropic antenna radiator. This product may be expressed in watts or dB above 1 watt (dBW).

Instructional television fixed station. A fixed station licensed to an educational organization and intended primarily for video, data, or voice transmissions of instructional, cultural, and other types of educational material to one or more fixed receiving locations.

ITFS response station. A fixed station operated by an ITFS licensee, the lessee of ITFS channel capacity or a subscriber of either to communicate with a response station hub or associated ITFS station. A response station under this part may share facilities with other ITFS response stations and/or one or more Multipoint Distribution Service (MDS) response stations au-

thorized pursuant to § 21.909 of this chapter or § 21.949 of this chapter.

Main channel. The main channel is that portion of each authorized channel used for the transmission of visual and aural information as set forth in § 73.682 of this Chapter and § 74.938 of this subpart.

Point-to-point ITFS station. An ITFS station that transmits a highly directional signal from a fixed transmitter location to a fixed receive location.

Remote control. Operation of a station by a designated person at a control position from which the transmitter is not visible but where suitable control and telemetering circuits are provided which allow the performance of the essential functions that could be performed at the transmitter.

Response station hub. A fixed facility licensed to an ITFS licensee, and operated by an ITFS licensee or the lessee of an ITFS channel, for the reception of information transmitted by one or more ITFS response stations that utilize digital modulation with uniform power spectral density. A response station hub licensed under this part may share facilities with other ITFS response station hubs, MDS response station hubs authorized pursuant to § 21.909 of this chapter, MDS signal booster stations, ITFS signal booster stations, MDS stations, and/or ITFS stations.

Response station hub license. A blanket license authorizing the operation of a single response station hub at a specific location and the operation of a specified number of associated digital response stations of one or more classes at unspecified locations within one or more regions of the response service area.

Sectorization. The use of an antenna system at an ITFS station, booster station and/or response station hub that is capable of simultaneously transmitting multiple signals over the same frequencies to different portions of the service area and/or simultaneously receiving multiple signals over the same frequencies from different portions of the service area.

Signal booster station. An ITFS station licensed for use in accordance with § 74.985 that operates on one or more ITFS channels. Signal booster stations

Federal Communications Commission

§ 74.902

are intended to augment service as part of a distributed transmission system where signal booster stations retransmit the signal of an ITFS station and/or originate information. A signal booster station licensed under this part may share facilities with other ITFS signal booster stations, MDS signal booster stations authorized pursuant to §21.913 of this chapter, MDS response stations and/or ITFS response stations.

Studio to transmitter link (STL). A directional path used to transmit a signal from a station's studio to its transmitter.

Subsidiary channel: A subsidiary channel is any portion of an authorized channel not used for main channel transmissions.

Temporary fixed ITFS station. An ITFS station used for the transmission of material from temporary unspecified points to an ITFS station.

Unattended operation. Operation of a station by automatic means whereby the transmitter is turned on and off and performs its functions without attention by a designated person.

[28 FR 13731, Dec. 14, 1963, as amended at 35 FR 4705, Mar. 18, 1970; 48 FR 33901, July 26, 1983; 49 FR 32596, Aug. 15, 1984; 55 FR 46013, Oct. 31, 1990; 60 FR 55483, Nov. 1, 1995; 63 FR 65113, Nov. 25, 1998]

§ 74.902 Frequency assignments.

(a) The following frequencies may be assigned to instructional television fixed stations:

Channel No.	Band limits MHz
GROUP A	
A-1	2500-2506
A-2	2512-2518
A-3	2524-2530
A-4	2536-2542
GROUP B	
B-1	2506-2512
B-2	2518-2524
B-3	2530-2536
B-4	2542-2548
GROUP C	
C-1	2548-2554
C-2	2560-2566
C-3	2572-2578
C-4	2584-2590

Channel No.	Band limits MHz
GROUP D	
D-1	2554-2560
D-2	2566-2572
D-3	2578-2584
D-4	2590-2596
GROUP E	
E-1	2596-2602
E-2	2608-2614
E-3	2620-2626
E-4	2632-2638
GROUP F	
F-1	2602-2608
F-2	2614-2620
F-3	2626-2632
F-4	2638-2644
GROUP G	
G-1	2644-2650
G-2	2656-2662
G-3	2668-2674
G-4	2680-2686

(b) Instructional Television Fixed Stations authorized to operate on Channels 2650-2656, 2662-2668, and 2674-2680 MHz as of July 16, 1971, may continue to operate on a coequal basis with other stations operating in accordance with the Table of Frequency Allocations. Requests for subsequent renewals or modification of existing licenses will be considered; however, expansion of systems comprised of such stations will not be permitted except on frequencies allocated for the service.

(c) Channels 2596-2602, 2602-2608, 2608-2614, 2614-2620, 2620-2626, 2626-2632, 2632-2638, and 2638-2644 MHz and the corresponding 125 kHz channels listed in §74.939(j) are shared with the Multipoint Distribution Service. No new Instructional Television Fixed Service applications for these channels filed after May 25, 1983 will be accepted, except in accordance with paragraph (f) of this section. In those areas where Multipoint Distribution Service use of these channels is allowed, Instructional Television Fixed Service users of these channels will continue to be afforded protection from harmful co-channel and adjacent channel interference from Multipoint Distribution Service stations, pursuant to §21.902 of this chapter.

NOTE TO PARAGRAPH (C):

No 125 kHz channels are provided for Channels E3, E4, F3 and F4, except for those grandfathered. The 125 kHz channels associated with Channels E3, E4, F3 and F4 are allocated to the Private Operational Fixed Point-to-Point Microwave Service, pursuant to § 101.147(g) of this chapter.

(d) Frequencies will be assigned as follows:

(1) A licensee is limited to the assignment of no more than four 6 MHz and four 125 kHz channels for use in a single area of operation, all of which 6 MHz channels initially should be selected from the same Group listed in paragraph (a) of this section, but which later may come from different Groups as a result of authorized channel swaps pursuant to paragraph (f) of this section. An area of operation is defined as the area 35 miles or less from the ITFS main station transmitter. Applicants shall not apply for more channels than they intend to construct within a reasonable time, simply for the purpose of reserving additional channels. The number of channels authorized to an applicant will be based on the demonstration of need for the number of channels requested. The Commission will take into consideration such factors as the amount of use of any currently assigned channels and the amount of proposed use of each channel requested, the amount of, and justification for, any repetition in the schedules, and the overall demand and availability of ITFS channels in the community. For those applicant organizations formed for the purpose of serving accredited institutional or governmental organizations, evaluation of the need will only consider service to those specified receive sites which submitted supporting documentation pursuant to § 74.932(a)(4).

(2) An applicant leasing excess capacity and proposing a schedule which complies in all respects with the requirements of § 74.931 (c) or (d) will have presumptively demonstrated need, in accordance with paragraph (d)(1) of this section, for no more than four channels. This presumption is rebuttable by demonstrating that the application does not propose to comport with our educational usage requirements, that is, to transmit some formal educational usage, as defined in

§ 74.931(a), and to transmit the requisite minimum educational usage of § 74.931 (c) or (d) for genuinely educational purposes.

(e) Frequencies in the bands 2500–2650 MHz, 2656–2662 MHz, 2668–2674 MHz, and 2680–2686 MHz are available for point-to-multipoint use and/or for communications between ITFS response stations and response station hubs when authorized in accordance with the provisions of § 74.939, provided that such frequencies may be employed for ITFS response stations only when transmitting using digital modulation.

(f) An ITFS licensee or conditional licensee may apply to exchange evenly one or more of its assigned channels with another ITFS licensee or conditional licensee in the same system, or with an MDS licensee or conditional licensee in the same system where one or both parties utilizes digital transmissions or leases capacity to an operator which utilizes digital transmissions, except that an ITFS licensee or conditional licensee may not exchange one of its assigned channels for MDS channel 2A. The licensees or conditional licensees seeking to exchange channels shall file in tandem with the Commission separate pro forma assignment of license applications, each attaching an exhibit which clearly specifies that the application is filed pursuant to a channel exchange agreement. The exchanged channel(s) shall be regulated according to the requirements applicable to the assignee; provided, however, that an ITFS licensee or conditional licensee which receives one or more E or F Group channels through a channel exchange with an MDS licensee or conditional licensee shall not be subject to the restrictions on ITFS licensees who were authorized to operate on the E or F Group channels prior to May 26, 1983.

(g) A temporary fixed ITFS station may use any available ITFS channel on a secondary basis. Operation of stations located within 56.3 km (35 miles) of Canada shall be limited by § 74.24(h)(3).

(h) Where adjacent channel operation is proposed in any area, the preferred location of the proposed station's transmitting antenna is at the site of

the adjacent channel transmitting antenna. If this is not practicable, the adjacent channel transmitting antennas should be located as close as reasonably possible.

(i) On the E and F-channel frequencies, a point-to-point ITFS station may be involuntarily displaced by an MDS applicant, conditional licensee or licensee, provided that suitable alternative spectrum is available and that the MDS entity bears the expenses of the migration. Suitability of spectrum will be determined on a case-by-base basis; at a minimum, the alternative spectrum must be licensable by ITFS operators on a primary basis (although it need not be specifically allocated to the ITFS service), and must provide a signal that is equivalent to the prior signal in picture quality and reliability, unless the ITFS licensee will accept an inferior signal. Potential expansion of the ITFS licensee may be considered in determining whether alternative available spectrum is suitable.

(j) If suitable alternative spectrum is located pursuant to paragraph (h) of this section, the initiating party must prepare and file the appropriate application for the new spectrum, and must simultaneously serve a copy of the application on the ITFS licensee to be moved. The initiating party will be responsible for all costs connected with the migration, including purchasing, testing and installing new equipment, labor costs, reconfiguration of existing equipment, administrative costs, legal and engineering expenses necessary to prepare and file the migration application, and other reasonable documented costs. The initiating party must secure a bond or establish an escrow account to cover reasonable incremental increase in ongoing expenses that may fall upon the migrated licensee. The bond or escrow account should also account for the possibility that the initiating party subsequently becomes bankrupt. If it becomes necessary for the Commission to assess the sufficiency of a bond or escrow amount, it will take into account such factors as projected incremental increase in electricity or maintenance expenses, or relocation expenses, as relevant in each case.

(k) The ITFS party to be moved will have a 60-day period in which to oppose the involuntary migration. The ITFS party should state its opposition to the migration with specificity, including engineering and other challenges, and a comparison of the present site and the proposed new site. If involuntary migration is granted, the new facilities must be operational before the initiating party will be permitted to begin its new or modified operations. The migration must not disrupt the ITFS licensee's provision of service, and the ITFS licensee has the right to inspect the construction or installation work.

[29 FR 7023, May 28, 1964, as amended at 31 FR 10743, Aug. 12, 1966; 36 FR 11587, June 16, 1971; 48 FR 33901, July 26, 1983; 49 FR 32596, Aug. 15, 1984; 50 FR 26758, June 28, 1985; 55 FR 46013, Oct. 31, 1990; 56 FR 57819, Nov. 14, 1991; 58 FR 44951, Aug. 25, 1993; 59 FR 35636, July 13, 1994; 60 FR 20246, Apr. 25, 1995; 63 FR 65113, Nov. 25, 1998]

EFFECTIVE DATE NOTE: At 63 FR 65113, Nov. 25, 1998, § 74.902 was amended by redesignating paragraphs (f) through (j) as (g) through (k), revising paragraphs (c) through (e) and adding a new paragraph (f). Paragraph (f) contains information collection and recordkeeping requirements and will not be effective until approved by the Office of Management and Budget.

§ 74.903 Interference.

(a) Since interference in this service will occur only when an unfavorable desired-to-undesired signal ratio exists at the antenna input terminals of the affected receiver, the directive properties of receiving antennas can be used to minimize the hazard of such interference. Interference may also be controlled through the use of directive transmitting antennas, geometric arrangement of transmitters and receivers, and the use of the minimum power required to provide the needed service. Harmful interference will be considered present when the reference receiving antenna is oriented to receive the maximum desired signal, and a free space calculation determines that the desired-to-undesired signal ratio is less than the value specified for the respective channel under consideration.

(1) Cochannel interference is defined as the ratio of the desired signal to the undesired signal, at the output of a reference receiving antenna oriented to

receive the maximum desired signal level. Harmful interference will be considered present when a free space calculation determines that this ratio is less than 45 dB (both stations utilizing 6 MHz bandwidths).

(2) Adjacent channel interference is defined as the ratio of the desired signal to undesired signal present in an adjacent channel, at the output of a reference receiving antenna oriented to receive the maximum desired signal level.

(i) Harmful interference will be considered present when a free space calculation determines that this ratio is less than 0 dB (both stations utilizing 6 MHz bandwidths).

(ii) In the alternative, harmful interference will be considered present for an ITFS station constructed before May 26, 1983, when a free space calculation determines that this ratio is less than 10 dB (both stations utilizing 6 MHz bandwidths), unless:

(A) The individual receive site under consideration has been subsequently upgraded with up-to-date reception equipment, in which case the ratio shall be less than 0 dB. Absent information presented to the contrary, however, the Commission will assume that reception equipment installation occurred simultaneously with original station equipment; or

(B) The license for an ITFS station is conditioned on the proffer to the affected ITFS station licensee of equipment capable of providing a ratio of 0 dB or more at no expense to the ITFS station licensee, and also conditioned, if necessary, on the proffer of installation of such equipment; and there has been no showing by the affected ITFS station licensee demonstrating good cause and that the proposed equipment will not provide a ratio of 0 dB or more, or that installation of such equipment, at no expense to the ITFS station licensee, is not possible or has not been proffered.

(3) For purposes of this section and except as set forth in § 74.939 regarding the protection of response station hubs, all interference calculations involving receive antenna performance shall use the reference antenna characteristics shown in Figure I, § 74.937(a) or, in the alternative, utilize the actual

pattern characteristics of the antenna in use at the receive site under study. If the actual receive antenna pattern is utilized, the applicant must submit complete details including manufacturer, model number(s), co-polar and cross-polar gain patterns, and other pertinent data.

(4) If an application can demonstrate that the installation of a receiving antenna at an existing licensee's site with characteristics superior to those of the standard antenna (or, alternatively, the appropriate existing antenna in use at the site) will permit the applicant to provide service without interference to the existing licensee, the application will be considered grantable with the condition that the applicant bears all costs of upgrading the existing licensee's reception equipment at that site(s). Such a showing should include interference calculations for both the existing or reference antenna and the proposed antenna. The manufacturer, model number(s), co-polar and cross-polar gain patterns of the replacement antenna should be supplied as well as an accurate assessment of the expected reimbursement costs.

(5) No receive site more than 35 miles from the transmitter shall be entitled to interference protection.

(6) Notwithstanding the above, main, booster and response stations shall use the following formulas, as applicable, for determining compliance with:

(1) Radiated field contour limits where bandwidths other than 6 MHz are employed at stations utilizing digital modulation with uniform power spectral density; and

(2) Cochannel and adjacent channel D/U ratios where the bandwidths in use at the interfering and protected stations are unequal and both stations are utilizing digital modulation with uniform power spectral density or one station is utilizing such modulation and the other station is utilizing either 6 MHz NTSC analog modulation or 125 kHz analog modulation (I channels only).

(i) Contour limit: $-73 \text{ dBW} + 10 \log (X/6)$, where X is the bandwidth in MHz of the digital channel.

(ii) Cochannel D/U: $45 \text{ dB} + 10 \log (X_1/X_2)$, where X₁ is the bandwidth in MHz

of the protected channel and X2 is the bandwidth in MHz of the interfering channel.

(iii) Adjacent channel D/U: $0 \text{ dB} + 10 \log (X1/X2)$, where X1 is the bandwidth in MHz of the protected channel and X2 is the bandwidth in MHz of the interfering channel.

(b) All applicants for instructional television fixed stations are expected to take full advantage of such directive antenna techniques to prevent interference to the reception of any existing or previously-proposed operational fixed, multipoint distribution, international control or instructional television fixed station at authorized receiving locations. Therefore, all applications for new or major changes must include an analysis of potential interference to all existing and previously-proposed stations in accordance with paragraph (a) of this section. An applicant for a new instructional television fixed station or for changes in an existing ITFS facility or conditional license must include the following technical information with the application:

(1) An analysis of the potential for harmful interference with the receive sites registered as of September 17, 1998, and with the protected service area, of any authorized or previously-proposed cochannel station if:

(i) The proposed transmitting antenna has an unobstructed electrical path to receive site(s) and/or the protected service area of any other station that utilizes, or would utilize, the same frequency; or

(ii) The proposed transmitter is within 80.5 km (50 miles) of the coordinates of any such station.

(2) An analysis of the potential for harmful adjacent channel interference with the receive sites registered as of September 17, 1998, and with the protected service area, of any authorized or previously-proposed station if the proposed transmitter is within 80.5 km (50 miles) of the coordinates of any station that utilizes, or would utilize, an adjacent channel frequency.

(3) An analysis concerning possible adverse impact upon Mexican and Canadian communications if the station's transmitting antenna is to be located within 80.5 km (50 miles) of the border.

(4) In lieu of the interference analyses required by paragraphs (b)(1) and (2) of this section, an applicant may submit (a) statement(s) from the affected cochannel or adjacent channel licensee(s) or conditional licensee(s) that any resulting interference is acceptable.

(5) Specific rules relating to response station hubs, booster stations, and 125 kHz channels are set forth in §§ 21.909 of this chapter, 21.913 of this chapter, 21.949 of this chapter, 74.939, 74.949 and 74.985. To the extent those specific rules are inconsistent with any rules set forth above, those specific rules shall control.

(c) Existing licensees, conditional licensees and prospective applicants, including those who lease or propose to lease excess capacity pursuant to § 74.931(c) or (d), are expected to cooperate fully and in good faith in attempting to resolve problems of potential interference before bringing the matter to the attention of the Commission.

(d) Each authorized or previously-proposed applicant, conditional licensee, or licensee must be protected from harmful electrical interference at each of its receive sites registered previously as of September 17, 1998, and within a protected service area as defined at § 21.902(d)(1) of this chapter and in accordance with the reference receive antenna characteristics specified at § 21.902(f) of this chapter. An ITFS entity which did not receive protected service area protection prior to September 17, 1998 shall be accorded such protection by a cochannel or adjacent channel applicant for a new station or station modification, including a booster station, response station or response station hub, where the applicant is required to prepare an analysis, study or demonstration of the potential for harmful interference.

[28 FR 13731, Dec. 14, 1963, as amended at 50 FR 26758, June 28, 1985; 51 FR 9799, Mar. 21, 1986; 58 FR 44951, Aug. 25, 1993; 60 FR 20246, Apr. 25, 1995; 60 FR 57368, Nov. 15, 1995; 63 FR 65114, Nov. 25, 1998]

§ 74.910 Part 73 application requirements pertaining to ITFS stations.

The following rules are applicable to ITFS stations.

§ 74.911

47 CFR Ch. I (10–1–99 Edition)

Sec.

- 73.3500 Application and report forms.
- 73.3511 Applications required.
- 73.3512 Where to file; number of copies.
- 73.3513 Signing in applications.
- 73.3514 Content of applications.
- 73.3517 Contingent applications.
- 73.3519 Repetitious applications.
- 73.3522(a) Amendment of applications.
- 73.3533 Application for construction permit or modification of construction permit.
- 73.3534 Application for extension of construction permit or for construction permit to replace expired construction permit.
- 73.3536 Application for license to cover construction permit.
- 73.3542 Application for temporary or emergency authorization.
- 73.3561 Staff consideration of applications requiring Commission action.
- 73.3562 Staff consideration of applications not requiring action by the Commission.
- 73.3597(c)(2) Procedures on transfer and assignment applications.
- 73.3566 Defective applications.
- 73.3568 Dismissal of applications.
- 73.3587 Procedure for filing objections.
- 73.3598 Period of construction.
- 73.3599 Forfeiture of construction permit.
- 73.5000–73.5006 Competitive Bidding Procedures.

The applicability of other rules in part 73, where appropriate, is not precluded by this section.

[50 FR 26759, June 28, 1985, as amended at 60 FR 20247, Apr. 25, 1995; 63 FR 48632, Sept. 11, 1998]

§ 74.911 Processing of ITFS station applications.

(a) Application for ITFS stations are divided into two groups:

(1) In the first group are applications for new stations or major changes in the facilities of authorized stations. These applications are subject to the provisions of paragraph (c) of this section. A major change for an ITFS station will be any proposal to add new channels, change from one channel (or channel group) to another except as provided for in § 74.902(f), change polarization, increase the EIRP in any direction by more than 1.5 dB, increase the transmitting antenna height by 25 feet or more, or relocate a facility's transmitter site by 10 miles or more. Applications submitted pursuant to §§ 74.939 and 74.985 shall not be considered major change applications. However, the Commission may, within 15 days after the acceptance of an application, or 15

days after the acceptance of any other application for modification of facilities, advise the applicant that such application is considered to be one for a major change, and subject to the provisions of paragraph (c) of this section.

(2) The second group consists of applications for licenses and all other changes in the facilities of authorized stations.

(b) A new file number will be assigned to an application for a new station or for major changes in the facilities of an authorized station, when it is amended so as to effect a major change, as defined in paragraph (a)(1) of this Section, or result in a situation where the original party or parties to the application do not retain control of the applicant as originally filed. An application for change in the facilities of any existing station will continue to carry the same file number even though (pursuant to Commission approval) an assignment of license or transfer of control of such licensee or permittee has taken place if, upon consummation, the application is amended to reflect the new ownership.

(c)(1)(i) The FCC will specify by Public Notice, pursuant to § 73.5002, a period for filing ITFS applications for a new station or for major modifications in the facilities of an authorized station. (ii) Such ITFS applicants shall be subject to the provisions of §§ 1.2105 and the ITFS competitive bidding procedures. See 47 CFR 73.5000 *et seq.*

(2) [Reserved]

(d) Notwithstanding any other provisions of this part, effective as of September 17, 1998, there shall be one one-week window, at such time as the Commission shall announce by public notice, for the filing of applications for high-power signal booster station, response station hub, and I channels point-to-multipoint transmissions licenses, during which all applications shall be deemed to have been filed as of the same day for purposes of §§ 74.939 and 74.985. Following the publication of a public notice announcing the tendering for filing of applications submitted during that window, applicants shall have a period of sixty (60) days to amend their applications, provided such amendments do not result in any

increase in interference to any previously-proposed or authorized station, or to facilities proposed during the window, absent consent of the applicant for or conditional licensee or licensee of the station that would receive such additional interference. At the conclusion of that sixty (60) day period, the Commission shall publish a public notice announcing the acceptance for filing of all applications submitted during the initial window, as amended during the sixty (60) day period. All petitions to deny such applications must be filed within sixty (60) days of such second public notice. On the sixty-first (61st) day after the publication of such second public notice, applications for new or modified response station hub and booster station licenses may be filed and will be processed in accordance with the provisions of §§ 74.939 and 74.985. Notwithstanding paragraph (d) of this section, each application submitted during the initial window shall be granted on the sixty-first (61st) day after the Commission shall have given such public notice of its acceptance for filing, unless prior to such date either a party in interest timely files a formal petition to deny or for other relief pursuant to § 74.912, or the Commission notifies the applicant that its application will not be granted. Where an application is granted pursuant to the provisions of this paragraph, the conditional licensee or licensee shall maintain a copy of the application at the transmitter site or response station hub until such time as the Commission issues a license.

[50 FR 26759, June 28, 1985, as amended at 60 FR 20247, Apr. 25, 1995; 63 FR 48632, Sept. 11, 1998; 63 FR 65115, Nov. 25, 1998]

EFFECTIVE DATE NOTE: At 63 FR 65115, Nov. 25, 1998, § 74.911 was amended by revising paragraph (a)(1) and adding a new paragraph (d). Paragraph (d) contains information collection and recordkeeping requirements and will not be effective until approved by the Office of Management and Budget.

§ 74.912 Petitions to deny.

(a) Petitions to deny against the long-form applications filed by winning bidders in ITFS auctions must be filed in accordance with § 73.5006 of this chapter. Petitions to deny against applications for transfers of control of

ITFS licensees, or for assignments of ITFS station licenses, must be filed not later than 30 days after issuance of a public notice of the acceptance for filing of the transfer or assignment application. In the case of applications for renewal of license, petitions to deny may be filed after the issuance of a public notice of acceptance for filing of the applications and up until the first day of the last full calendar month of the expiring license term. Any party in interest may file a petition to deny any notification regarding a low power ITFS signal booster station, within the 60 day period provided for in § 74.985(e).

(b) The applicant or notifier may file an opposition to any petition to deny, and the petitioner a reply to such opposition in which allegations of fact or denials thereof shall be supported by affidavit of a person or persons with personal knowledge thereof. Except with regard to petitions to deny against the long-form applications of ITFS auction winners, the times for filing such oppositions and replies shall be those provided in § 1.45 of this chapter.

[64 FR 24527, May 7, 1999]

§ 74.931 Purpose and permissible service.

(a)(1) Instructional television fixed stations are intended primarily to provide a formal educational and cultural development in aural and visual form, to students enrolled in accredited public and private schools, colleges and universities. Authorized instructional television fixed station channels must be used to transmit formal educational programming offered for credit to enrolled students of accredited schools, with limited exceptions as set forth in paragraph (e)(9) of this section and Secs. 74.990 through 74.992.

(2) All applicants that do not list accredited schools as receive sites must name the school(s) and the degree(s) or diploma(s) for which the formal programming will be offered and describe the administration of the course(s). They must submit documentation, written or signed by the authorities responsible for the schools' curricula, verifying each of these points.

(b) Such stations may also be used for the additional purpose of transmitting other visual and aural educational, instructional and cultural material to selected receiving locations, including in-service training and instruction in special skills and safety programs, extension of professional training, informing persons and groups engaged in professional and technical activities of current developments in their particular fields, and other similar endeavors.

(c) During periods when the circuits provided by these stations are not being used for the transmission of instructional and cultural material, they may be used for the transmission of material directly related to the administrative activities of the licensee such as the holding of conferences with personnel, distribution of reports and assignments, exchange of data and statistics, and other similar uses. Stations will not be licensed in this service solely for the transmission of administrative traffic.

(d) Stations may be licensed in this service as originating or relay stations to interconnect instructional television fixed stations in adjacent areas, to deliver instructional and cultural material to, and obtain such material from, commercial and noncommercial educational television broadcast stations for use on the instructional television fixed system, and to deliver instructional and cultural material to, and obtain such material from, nearby terminals or connection points of closed circuit educational television systems employing wired distribution systems or radio facilities authorized under other parts of this chapter, or to deliver instructional and cultural material to any CATV system serving a receiving site or sites which would be eligible for direct reception of ITFS signals under the provisions of paragraphs (a) and (b) of this section.

(e) A licensee may use excess capacity on each channel to transmit material other than the ITFS subject matter specified in paragraphs (a), (b), (c), and (d) of this section subject to the following conditions:

(1) If the time or capacity leased is not to be used for “wireless cable” operations, the licensee must preserve at

least 40 hours per week, including at least 6 hours per weekday (Monday through Friday), excluding holidays and vacation days, for ITFS purposes on that channel. The 40-hour preservation may consist of airtime strictly reserved for ITFS use and not used for non-ITFS programming, or of time used for non-ITFS programming but subject to ready recapture by the licensee for ITFS use with no economic or operational detriment of the licensee. At least 20 hours per week of the preserved time on each channel must be used for ITFS programming, including at least 3 hours per weekday, excluding holidays and vacation days, except as provided in paragraph (e)(3) of this section. Only ITFS programming and preserved airtime scheduled between 8 a.m. and 10 p.m. Monday through Saturday, will qualify to meet these requirements.

(2) If the time or capacity leased is to be used for “wireless cable” operations, before leasing excess capacity on any one channel, the licensee must provide at least 20 hours per week of ITFS programming on that channel, except as provided in paragraph (e)(3) of this section. All hours not used for ITFS programming may be leased to a “wireless cable” operator. An additional 20 hours per week per channel must be reserved for recapture by the ITFS licensee for its ITFS programming, subject to one year’s advance, written notification by the ITFS licensee to its “wireless cable” lessee. These hours of recapture are not restricted as to time of day or day of the week, but may be established by negotiations between the ITFS licensee and the “wireless cable” lessee.

(3) For the first two years of operation, an ITFS entity may lease excess capacity if it provides ITSF programming at least 12 hours per channel per week, including up to four hours of ITFS usage per day.

(4) The licensee may schedule the ITFS programming and use automatic channel switching equipment so as to employ channel mapping technology to lease to a “wireless cable” operator. However, an ITFS applicant should request only as many channel as it needs to fulfill its educational requirements.

(5) All of the capacity available on any subsidiary channel of any authorized channel may be used for the transmission of material to be used by others.

(6) When an ITFS licensee makes capacity available on a common carrier basis, it will be subject to common carrier regulation. A licensee operating as a common carrier is required to apply for the appropriate authorization and to comply with all policies and rules applicable to that service. Responsibility for making the initial determination of whether a particular activity is common carriage rests with the ITFS licensee. Initial determinations by the licensees are subject to Commission examination and may be reviewed at the Commission's discretion.

(7) An ITFS applicant, permittee, or licensee may use an omnidirectional antenna to facilitate the leasing of excess capacity to "wireless cable" operators.

(8) Leasing activity may not cause unacceptable interference to cochannel and adjacent-channel operations.

(9) A licensee may shift its requisite ITFS programming onto fewer than its authorized number of channels, via channel mapping technology or channel loading, so that it can lease full-time channel capacity to a wireless cable operator, subject to the condition that it provide a total average of at least 20 hours per channel per week of ITFS programming on its authorized channels. The licensee also retains the unabridgeable right to recapture, subject to six months' written notification to the wireless cable operator, an average of an additional 20 hours per channel per week for simultaneous programming on the number of channels for which it is authorized. The licensee may agree to the transmission of this recapture time on channels not authorized to it, but which are included in the wireless system of which it is a part.

(f) Material transmitted by these stations may be intended for simultaneous reception and display or may be recorded by authorized users for use at another time.

(g) On a secondary basis, an ITFS station may be operated as a temporary fixed station from temporary unspecified points to an ITFS station

under the provisions of paragraph (a), (b), (d) or (e) of this section.

(h) Except as specified in paragraphs (i) and (j) of this section, no licensee of a station in this service may lease transmission time or capacity to any cable television company either directly or indirectly through an affiliate owned, operated, controlled by, or under common control with the cable television company, if the ITFS main transmitter station is within 32 km (20 miles) of the cable television company's franchise area or service area, and if the cable television company is the sole provider of cable television service in the franchise area.

(i)(1) A cable television company shall be exempt from the provisions of paragraph (h) of this section if its franchise area contains none of the following:

(i) Any incorporated place of 2,500 inhabitants or more, or any part thereof;

(ii) Any unincorporated place of 2,500 inhabitants or more, or any part thereof; or

(iii) Any other territory, incorporated or unincorporated, included in an urbanized area.

(2) All population statistics and definitions used in qualifying for this exemption shall be the most recent available from the U.S. Department of Commerce, Bureau of the Census. In no event shall any statistics resulting from censuses prior to 1980 be used. The Census Bureau has defined some incorporated places of 2,500 inhabitants or more as "extended cities." Such cities consist of an urban part and rural part.

(3) If the cable operator's franchise area includes a rural part of an extended city, but includes no other territory described in this paragraph, an exemption shall apply.

NOTE 1: In applying the provisions of paragraphs (h) and (i) of this section, an attributable ownership interest shall be defined by reference to the Notes contained in § 74.912.

(j) The provisions of paragraph (h) of this section will not apply to ITFS excess capacity leased directly or indirectly to cable operators or affiliates to provide locally-produced programming to cable headends. Locally-produced programming is programming

§ 74.932

produced in or near the cable operator's franchise area and not broadcast on a television station available within that franchise area. A cable operator or affiliate will be permitted to lease ITFS excess capacity equivalent to one MDS channel within 32 km (20 miles) of the cable television franchise area or service area for this purpose, and, within 32 km (20 miles) of the cable television franchise area or service area, no more ITFS excess capacity than the equivalent of one MDS channel may be used by a cable television company or affiliate pursuant to this paragraph. The licensee for a cable operator providing local programming pursuant to a lease must include in a notice filed with the Mass Media Bureau a cover letter explicitly identifying its lessee as a local cable operator or affiliate and stating that the lease was executed to facilitate the provision of local programming. The first lease notification for an MDS or ITFS channel in an area filed with the Commission will be entitled to the exemption. The limitations on the equivalent of one MDS channel per party and per area include any cable/ITFS operations grandfathered pursuant to paragraph (k) of this section or any cable/MDS operations grandfathered pursuant to § 21.912(f) of this chapter. Local programming service pursuant to a lease must be provided within one year of the date of the lease or one year of the grant of the licensee's application for the leased channel(s), whichever is later.

(k) Lease arrangements between cable and ITFS entities for which a lease or a firm agreement was signed prior to February 8, 1990, will not be subject to the prohibitions of paragraph (h) of this section. Leases between cable television entities and ITFS entities executed on February 8, 1990, or thereafter, are invalid.

[28 FR 13731, Dec. 14, 1963, as amended at 33 FR 15424, Oct. 17, 1968; 48 FR 33901, July 26, 1983; 49 FR 27151, July 2, 1984; 49 FR 32596, Aug. 15, 1984; 50 FR 26760, June 28, 1985; 51 FR 9800, Mar. 21, 1986; 55 FR 46013, Oct. 31, 1990; 56 FR 57600, Nov. 13, 1991; 56 FR 57819, Nov. 14, 1991; 56 FR 65191, Dec. 16, 1991; 58 FR 34378, June 25, 1993; 58 FR 44951, Aug. 25, 1993; 59 FR 35636, July 13, 1994; 64 FR 50646, Sept. 17, 1999]

EDITORIAL NOTE: At 63 FR 65116, Nov. 25, 1998, § 74.931 was amended by redesignating paragraphs (d) and (e) as (b) and (c), redesignating

47 CFR Ch. I (10–1–99 Edition)

paragraphs (f) through (k) as (e) through (j), revising paragraphs (a), (b) and (c), and adding a new paragraph (d), however, (b) and (c) already exist. These amendments contain information collection and record-keeping requirements which are not effective until the Office of Management and Budget approves them.

EFFECTIVE DATE NOTE: At 64 FR 50646, Sept. 17, 1999, § 74.931 was amended by adding Note 1 to paragraph (i), effective Nov. 16, 1999.

§ 74.932 Eligibility and licensing requirements.

(a) With certain limited exceptions set forth in §§ 74.990 through 74.992 of this part, a license for an instructional television fixed station will be issued only to an accredited institution or to a governmental organization engaged in the formal education of enrolled students or to a nonprofit organization whose purposes are educational and include providing educational and instructional television material to such accredited institutions and governmental organizations, and which is otherwise qualified under the statutory provisions of the Communications Act of 1934, as amended.

(1) Only local applicants can file applications and be considered for licenses during the local priority period, which extends for one year from the effective date of these rules.

(i) During this local priority period, the existing of any outstanding application for ITFS channels by a nonlocal applicant will not prevent the filing and/or grant of an application by a local entity for those same channels.

(2) A publicly supported educational institution must be accredited by the appropriate state department of education.

(3) A privately controlled educational institution must be accredited by the appropriate state department of education or the recognized regional and national accrediting organizations.

(4) Those applicant organizations whose eligibility is established by service to accredited institutional or governmental organizations must submit documentation from proposed receive

sites demonstrating they will receive and use the applicant's formal educational programming. In place of this documentation, a state educational television (ETV) commission may demonstrate that the public schools it proposes to serve are required to use its proposed formal educational programming.

(5) Nonlocal applicants, in addition to submitting letters from proposed receive sites, must demonstrate the establishment of a local program committee in each community where they apply.

(b) No numerical limit is placed on the number of stations which may be licensed to a single licensee. However, individual licensees will be governed by the limitations of §§ 74.902 and 74.990(d) of this part as to the number of channels which may be used. A single license may be issued for more than one transmitter if they are to be located at a common site and operated by the same licensee. Applicants are expected to accomplish the proposed operation by the use of the smallest number of channels required to provide the needed service.

(c) An application for a new instructional television fixed station or for changes in the facilities of an existing station shall specify the location of the transmitter, all proposed receiving installations, response transmitters, and any relay transmitters which will be under the control of or will be equipped for reception by the applicant. If reception is also intended at unspecified locations, i.e., if power is deliberately radiated to locations or areas so that voluntary reception will be possible, the applications shall include a complete statement as to the purpose of such additional reception.

(d) In case of permanent discontinuance of operation of a station licensed under this subpart, authority to operate is forfeited and the licensee shall forward the station license to the Commission for cancellation. For the purposes of this section, a station which is not operated for a period of one year is considered to have been permanently discontinued. If use of a channel(s) is discontinued, authority to operate on such channel(s) is forfeited and an ap-

plication for modification shall be filed to delete such channel(s).

(e) No receive site more than 35 miles from the transmitter site shall be used to establish basic eligibility.

NOTE 1: A "local" licensee (or applicant) is an institution or organization that is physically located in the community, or metropolitan area, where service is proposed. For a college or university, this would include any area where it has a campus. An educational organization will generally be regarded as "local" if the address of the organization's headquarters is located within the area where the facility is sought. An entity created by a state or local government for the purpose of serving formal educational needs will be considered "local" throughout the area within the government's jurisdiction over which its authority is intended to extend. An educational entity located within a state and created by affiliated educational institutions within that state, including hospitals, will be considered "local" in those areas where the member institutions are located.

NOTE 2: Documentation from proposed receive sites which are to establish the eligibility of an entity not serving its own enrolled students for credit should be in letter form, written and signed by an administrator or authority who is responsible for the receive site's curriculum planning. The administrator must indicate that the applicant's program offerings have been viewed and that such programming will be incorporated in the site's curriculum. The letter should discuss the types of programming and hours per week of formal and informal programming expected to be used and the site's involvement in the planning, scheduling and production of programming. If other levels of authority must be obtained before a firm commitment to utilize the service can be made, the nature and extent of such additional authorization(s) must be provided.

NOTE 3: Letters submitted on behalf of a nonlocal entity must confirm that a member of the receive site's staff will serve on the local program committee and demonstrate a recognition of the composition and power of the committee. The letter should show that the staff member will aid in the selection, scheduling and production of the programming received over the system.

[28 FR 13731, Dec. 14, 1963, as amended at 36 FR 8873, May 14, 1971; 49 FR 32596, Aug. 15, 1984; 50 FR 26760, June 28, 1985; 51 FR 9800, Mar. 21, 1986; 56 FR 57819, Nov. 14, 1991; 58 FR 44951, Aug. 25, 1993; 60 FR 20247, Apr. 25, 1995]

§ 74.933

§ 74.933 Remote control operation.

Licensed ITFS stations may be operated by remote control without further authority.

[52 FR 3806, Feb. 6, 1987]

§ 74.934 Unattended operation.

Unattended operation of licensed ITFS stations is permitted without further authority.

(a) An unattended relay station may be employed to receive and retransmit signals of another station provided that the transmitter is equipped with circuits which permit it to radiate only when the signal intended to be retransmitted is present at the receiver input terminals.

[52 FR 3806, Feb. 6, 1987]

§ 74.935 Power limitations.

(a) The maximum EIRP of an ITFS main or booster station shall not exceed 33 dBW (or, when digital modulation with uniform power spectral density and subchannels or superchannels, or 125 kHz channels, are used, the appropriately adjusted value based upon the ratio of 6 MHz to the subchannel or superchannel, or 125 kHz, bandwidth), except as provided in paragraph (b) of this section.

(b) If a main or booster station sectorizes or otherwise uses one or more transmitting antennas with a non-omnidirectional horizontal plane radiation pattern, the maximum EIRP over a 6 MHz channel in dBW in a given direction shall be determined by the following formula:

$$\text{EIRP} = 33 \text{ dBW} + 10 \log (360/\text{beamwidth})$$

[where $10 \log (360/\text{beamwidth}) \leq 6$ dB]

Beamwidth is the total horizontal plane beamwidth of the individual transmitting antenna for the station or any sector measured at the half-power points. The first term of the equation above, 33 dBW, must be adjusted appropriately based upon the ratio of 6 MHz to the subchannel or superchannel, or 125 kHz, bandwidth.

(c) An increase in station transmitter power, above currently-authorized or previously-proposed values, to the maximum values provided in paragraphs (a) and (b) of this section, may

47 CFR Ch. I (10–1–99 Edition)

be authorized, if an applicant demonstrates that the requested power increase will not cause harmful interference to any authorized or previously-proposed co-channel or adjacent-channel station with a transmitter site within 80.5 km (50 miles) of the applicant's transmitter site, or if an applicant demonstrates that:

(1) A station, that must be protected from interference, potentially could suffer interference that would be eliminated by increasing the power of the interfered-with station; and

(2) That the interfered-with station may increase its own power consistent with the rules; and

(3) The applicant requesting authorization of a power increase agrees to pay all expenses associated with the increase in power to the interfered-with station.

(d) For television transmission, the peak power of the accompanying aural signal must not exceed 10 percent of the peak visual power of the transmitter. The Commission may order a reduction in aural signal power to diminish the potential for harmful interference.

[55 FR 46013, Oct. 31, 1990, as amended at 58 FR 44951, Aug. 25, 1993; 63 FR 65117, Nov. 25, 1998]

§ 74.936 Emissions and bandwidth.

(a) An ITFS station may employ amplitude modulation (C3F) for the transmission of the visual signal and frequency modulation (F3E) or (G3E) for the transmission of the aural signal when transmitting a standard analog television signal. Quadrature amplitude modulation, digital vestigial modulation, quadrature phase shift key modulation and code division multiple access emissions may be employed, subject to compliance with the policies set forth in the Declaratory Ruling and Order, 11 FCC Rcd 18839 (1996). The licensee may subchannelize its authorized bandwidth, provided that digital modulation is employed and the aggregate power does not exceed the authorized power for the channel, and may utilize all or a portion of its authorized bandwidth for ITFS response stations authorized pursuant to § 74.939. The licensee may also, jointly with affected adjacent channel licensees, transmit

utilizing bandwidth in excess of its authorized frequencies, provided that digital modulation is employed, all power spectral density requirements set forth in this part are met and the out-of-band emissions restrictions set forth in 74.936 are met at the edges of the channels employed. The wider channels thus created may be redivided to create narrower channels.

(b) Notwithstanding the above, any digital emission which meets the uniform power spectral density requirements of the Declaratory Ruling and Order may be used in the following circumstances:

(1) At any ITFS main or booster station transmitter which is located more than 160.94 km (100 miles) from the nearest boundary of all cochannel and adjacent channel ITFS and MDS protected service areas, including Basic Trading Areas and Partitioned Service Areas; and

(2) At all ITFS response station transmitters within a response service area if all points along the response service area boundary line are more than 160.94 km (100 miles) from the nearest boundary of all cochannel and adjacent channel ITFS and MDS protected service areas, including Basic Trading Areas and Partitioned Service Areas; and

(3) At any ITFS transmitter where all parties entitled by this part to interference protection from that transmitter have mutually consented to the use at that transmitter of such emissions.

(c) The maximum out-of-band power of an ITFS station transmitter or booster transmitting on a single 6 MHz channel with an EIRP in excess of -9 dBW employing analog modulation shall be attenuated at the channel edges by at least 38 dB relative to the peak visual carrier, then linearly sloping from that level to at least 60 dB of attenuation at 1 MHz below the lower band edge and 0.5 MHz above the upper band edge, and attenuated at least 60 dB at all other frequencies. The maximum out-of-band power of an ITFS station transmitter or booster transmitting on a single 6 MHz channel or a portion thereof with an EIRP in excess of -9 dBW (or, when subchannels are used, the appropriately adjusted value

based upon the ratio of the channel-to-subchannel bandwidths) employing digital modulation shall be attenuated at the 6 MHz channel edges at least 25 dB relative to the licensed average 6 MHz channel power level, then attenuated along a linear slope to at least 40 dB at 250 kHz beyond the nearest channel edge, then attenuated along a linear slope from that level to at least 60 dB at 3 MHz above the upper and below the lower licensed channel edges, and attenuated at least 60 dB at all other frequencies. Notwithstanding the foregoing, in situations where an ITFS station or booster station transmits, or where adjacent channel licensees jointly transmit, a single signal over more than one contiguous 6 MHz channel utilizing digital modulation with an EIRP in excess of -9 dBW (or, when subchannels or superchannels are used, the appropriately adjusted value based upon the ratio of 6 MHz to the subchannel or superchannel bandwidth), the maximum out-of-band power shall be attenuated at the channel edges of those combined channels at least 25 dB relative to the power level of each channel, then attenuated along a linear slope from that level to at least 40 dB at 250 kHz above or below the channel edges of those combined channels, then attenuated along a linear slope from that level to at least 60 dB at 3 MHz above the upper and below the lower edges of those combined channels, and attenuated at least 60 dB at all other frequencies. However, should harmful interference occur as a result of emissions outside the assigned channel, additional attenuation may be required. A transmitter licensed prior to November 1, 1991, that remains at the station site initially licensed, and does not comply with this paragraph, may continue to be used for its life if it does not cause harmful interference to the operation of any other licensee. Any non-conforming transmitter replaced after November 1, 1991, must be replaced by a transmitter meeting the requirements of this paragraph.

(d) A booster transmitting on multiple contiguous or non-contiguous channels carrying separate signals (a "broadband" booster) with an EIRP in excess of -9 dBW per 6 MHz channel and employing analog, digital or a

combination of these modulations shall have the following characteristics:

(1) For broadband boosters operating in the frequency range of 2.150–2.160/2 GHz, the maximum out-of-band power shall be attenuated at the upper and lower channel edges forming the band edges by at least 25 dB relative to the licensed analog peak visual carrier or digital average power level (or, when subchannels are used, the appropriately adjusted value based on upon the ratio of the channel-to-subchannel bandwidths), then linearly sloping from that level to at least 40 dB of attenuation at 0.25 MHz above and below the band edges, then linearly sloping from that level to at least 60 dB of attenuation at 3.0 MHz above and below the band edges, and attenuated at least 60 dB at all other frequencies.

(2) For broadband boosters operating in the frequency range of 2.500–2.690 GHz, the maximum out-of-band power shall be attenuated at the upper and lower channel edges forming the band edges by at least 25 dB relative to the licensed analog peak visual carrier or digital average power level (or, when subchannels are used, the appropriately adjusted value based on upon the ratio of the channel-to-subchannel bandwidths), then linearly sloping from that level to at least 40 dB of attenuation at 0.25 MHz above and below the band edges, then linearly sloping from that level to at least 50 dB of attenuation at 3.0 MHz above and below the band edges, then linearly sloping from that level to at least 60 dB of attenuation at 20 MHz above and below the band edges, and attenuated at least 60 dB at all other frequencies.

(3) Within unoccupied channels in the frequency range of 2.500–2.690 GHz, the maximum out-of-band power shall be attenuated at the upper and lower channel edges of an unoccupied channel by at least 25 dB relative to the licensed analog peak visual carrier power level or digital average power level of the occupied channels (or, when subchannels or 125 kHz channels are used, the appropriately adjusted value based upon the ratio of the channel-to-subchannel bandwidths), then linearly sloping from that level to at least 40 dB of attenuation at 0.25 MHz above and below the occupied channel

edges, then linearly sloping from that level to at least 50 dB of attenuation at 3.0 MHz above and below the occupied channel edges, and attenuated at least 50 dB at all other unoccupied frequencies.

(e) Boosters operating with an EIRP less than –9 dBW per 6 MHz channel shall have no particular out-of-band power attenuation requirement, except that if they cause harmful interference, their operation shall be terminated within 2 hours of notification by the Commission until the interference can be cured.

(f) The maximum out-of-band power of an ITFS response station using all or part of a 6 MHz channel and employing digital modulation shall be attenuated at the 6 MHz channel edges at least 25 dB relative to the licensed average 6 MHz channel power level, then attenuated along a linear slope to at least 40 dB at 250 kHz beyond the nearest channel edge, then attenuated along a linear slope from that level to at least 60 dB at 3 MHz above the upper and below the lower licensed channel edges, and attenuated at least 60 dB at all other frequencies. Where ITFS response stations with digital modulation utilize all or part of more than one contiguous 6 MHz channel to form a larger channel (e.g., a channel of width 12 MHz), the above-specified attenuations shall be applied only at the upper and lower edges of the overall combined channel. Notwithstanding these provisions, should harmful interference occur as a result of emissions outside the assigned channel(s), additional attenuation may be required by the Commission.

(g) The requirements of § 73.687(c)(2) will be considered to be satisfied insofar as measurements of operating power are concerned if the transmitter is equipped with instruments for determining the combined visual and aural operating power. However, licensees are expected to maintain the operating powers within the limits specified in § 74.935. Measurements of the separate visual and aural operating powers must be made at sufficiently frequent intervals to insure compliance with the rules, and in no event less than once a month. However, the provisions of § 73.687(c)(2) and of this paragraph shall

Federal Communications Commission

§ 74.937

not be applicable to ITFS response stations or to low power ITFS booster stations authorized pursuant to § 74.985(e).

(h) Compliance with the out-of-band emissions limitations shall be established in accordance with § 21.908(e) of this chapter.

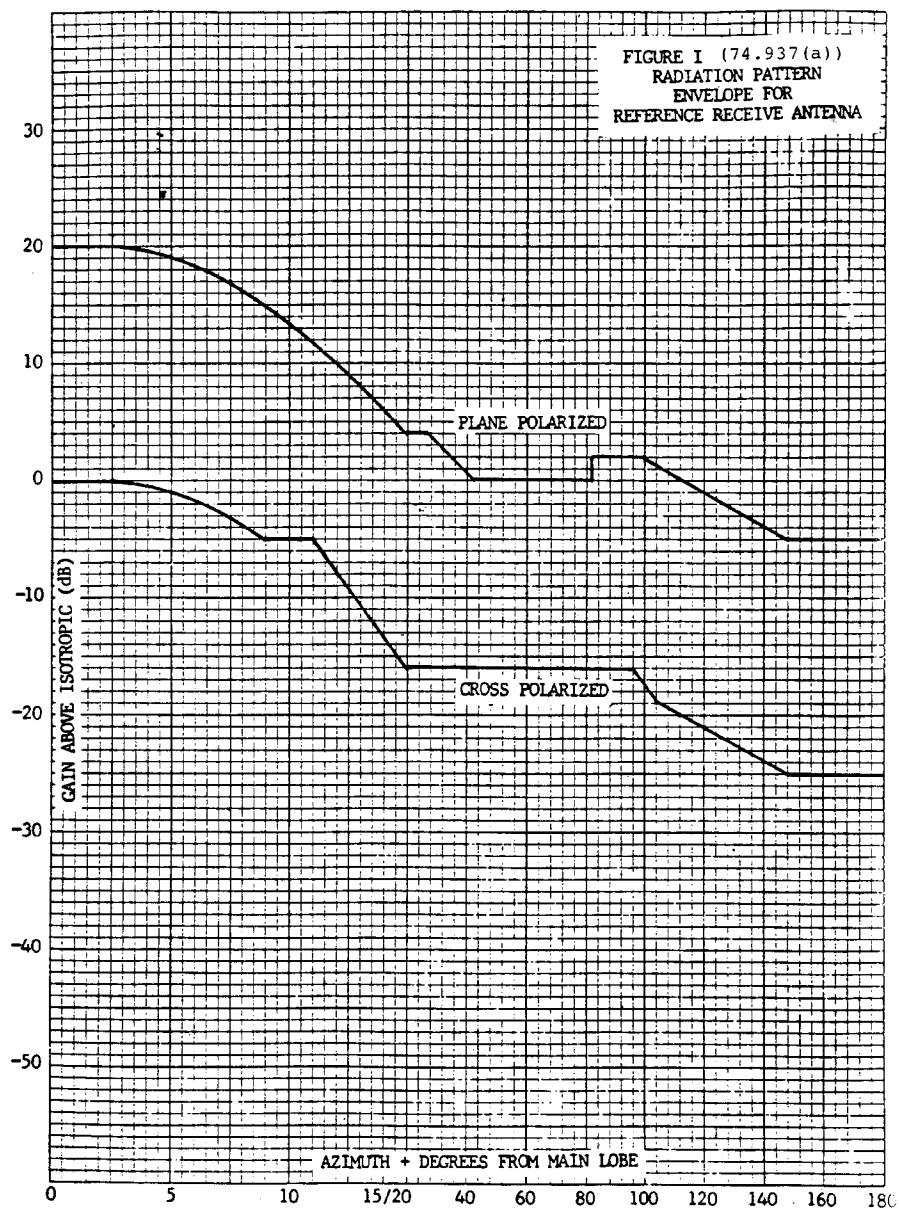
[63 FR 65117, Nov. 25, 1998]

EFFECTIVE DATE NOTE: At 63 FR 65117, Nov. 25, 1998, § 74.936 was revised. Paragraphs (b)(3) and (g) contain information collection and recordkeeping requirements and will not be effective until approved by the Office of Management and Budget.

§ 74.937 Antennas.

(a) In order to minimize the hazard of harmful cochannel and adjacent channel interference from other stations, directive receiving antennas should be used at all receiving locations other than response station hubs. The choice of receiving antennas is left to the discretion of the licensee. However, for

the purpose of interference calculations, except as set forth in § 74.939, the general characteristics of the reference receiving antenna shown in Figure I of this section (i.e., a 0.6 meter (2 foot) parabolic reflector antenna) are assumed to be used in accordance with the provisions of § 74.903(a)(3) unless pertinent data is submitted of the actual antenna in use at the receive site. Licensees may install receiving antennas with general characteristics superior to those of the reference receive antenna. Nevertheless, should interference occur and it can be demonstrated by an applicant that the existing antenna at the receive site is inappropriate, a more suitable yet practical receiving antenna should be installed. In such cases, the modification of the receive site will be in the discretion, and will be the responsibility, of the licensee serving the site.



Federal Communications Commission

§ 74.939

(b) Except as set forth in § 74.931 (c)(4) and (d)(3), directive transmitting antennas shall be used whenever feasible so as to minimize interference to other licensees. The radiation pattern shall be designed to minimize radiation in directions where no reception is intended. When an ITFS station is used for point-to-point service, an appropriate directional antenna must be used.

(c) The use of elevated receiving antennas is preferable to the use of elevated transmitting antennas or greater power to provide the desired service.

(d) The use of vertical or horizontal plane polarization or right-hand or left-hand rotating (circular) polarization may be used to minimize the hazard of harmful interference between systems. The Commission reserves the right to specify the polarization to be used.

(e) The power gain compared to an isotropic antenna and the directive properties of the transmitting and receiving antennas proposed to be employed, as well as the geometric distribution of the transmitting and receiving points, shall be supplied with each application for a new ITFS fixed station or for changes in the antenna facilities of an existing station.

[28 FR 13731, Dec. 14, 1963, as amended at 48 FR 9012, Mar. 3, 1983; 49 FR 32596, Aug. 15, 1984; 50 FR 26761, June 28, 1985; 52 FR 3806, Feb. 6, 1987; 58 FR 44951, Aug. 25, 1993; 63 FR 65118, Nov. 25, 1998]

§ 74.938 Transmission standards.

The width of an ITFS channel is 6 MHz. However, the licensee may sub-channelize its authorized bandwidth, provided that digital modulation is employed and the aggregate power does not exceed the authorized power for the channel, and may utilize all or a portion of its authorized bandwidth for ITFS response stations authorized pursuant to § 74.939. The licensee may also, jointly with other licensees, transmit utilizing bandwidth in excess of its authorized bandwidth, provided that digital modulation is employed, all power spectral density requirements set forth in this part are met and the out-of-band emissions restrictions set forth in

§ 74.936 are met at the edges of the channels employed.

[63 FR 65119, Nov. 25, 1998]

§ 74.939 ITFS response stations.

(a) An ITFS response station is authorized to provide communication by voice, video and/or data signals with its associated ITFS response station hub or associated ITFS station. An ITFS response station may be operated only by the licensee of the ITFS station, by any person or entity authorized by the ITFS licensee to receive point-to-multipoint transmissions over its channels, by any lessee of excess capacity, or by a subscriber of any lessee of excess capacity. The authorized channel may be divided to provide distinct subchannels for each of more than one response station, provided that digital modulation is employed and the aggregate power does not exceed the authorized power for the channel. An ITFS response station may also, jointly with other licensees, transmit utilizing bandwidth in excess of that authorized to the station, provided that digital modulation is employed, all power spectral density requirements set forth in this part are met, and the out-of-band emission restrictions set forth in § 74.936 or paragraph (k) of this section are complied with.

(b) ITFS response stations that utilize the 2150-2162 MHz band pursuant to § 74.902(f), the 2500-2686 MHz band, and/or the 125 kHz channels identified in paragraph (j) of this section may be installed and operated without an individual license, to communicate with a response station hub authorized under a response station hub license, provided that the conditions set forth in paragraph (g) of this section are complied with and that ITFS response stations operating in the 2150-2162 MHz and/or 2500-2686 MHz band(s) employ only digital modulation with uniform power spectral density in accordance with the Commission's Declaratory Ruling and Order, 11 FCC Rcd 18839 (1996).

(c) An applicant for a response station hub license shall:

(1) File FCC Form 331 with the Commission in Washington, DC, and certify on that form that it has complied with the requirements of paragraphs (c)(2)

and (d) of this section. Failure to certify compliance and to comply completely with the requirements of paragraphs (c)(2) and (d) of this section shall result in dismissal of the application or revocation of the response station hub license, and may result in imposition of a monetary forfeiture; and

(2) Submit to International Transcription Services, Inc. ("ITS"), 1231 20th Street, NW, Washington, DC 20036, both in hard copy, and on a 3.5" computer diskette in ASCII, the following:

(i) Duplicates of the Form 331 filed with the Commission; and

(ii) The data required by Appendix D to the Report and Order in MM Docket No. 97-217, FCC 98-231, "Methods for Predicting Interference from Response Station Transmitters and to Response Station Hubs and for Supplying Data on Response Station Systems"; and

(iii) The information, showings and certifications required by paragraph (d) of this section; and

(3) Submit to the Commission, only upon Commission staff request, duplicates of the submissions required by paragraph (c)(2) of this section.

(d) An applicant for a response station hub license shall, pursuant to paragraph (c)(2)(iii) of this section, submit to ITS the following:

(1) The geographic coordinates, street address, and the height of the center line of the reception antenna(s) above mean sea level for the response station hub; and (2) A specification of:

(i) The response service area in which the applicant or its lessee proposes to install ITFS response stations to communicate with the response station hub, any regions into which the response service area will be subdivided for purposes of interference analysis, and any regional classes of response station characteristics which will be used to define the operating parameters of groups of response stations within each region for purposes of interference analysis, including:

(A) The maximum height above ground level of the transmission antenna that will be employed by any response station in the regional class and that will be used in interference analyses; and

(B) The maximum equivalent isotropic radiated power (EIRP) that will be employed by any response station in

the regional class and that will be used in interference analyses; and

(C) Any sectorization that will be employed, including the polarization to be employed by response stations in each sector and the geographic orientation of the sector boundaries, and that will be used in interference analyses; and

(D) The combined worst-case outer envelope plot of the patterns of all models of response station transmission antennas that will be employed by any response station in the regional class to be used in interference analyses; and

(E) The maximum number of response stations that will be operated simultaneously in each region using the characteristics of each regional class applicable to each region.

(ii) The channel plan (including any guardbands at the edges of the channel) to be used by ITFS response stations in communicating with the response station hub, including a statement as to whether the applicant will employ the same frequencies on which response stations will transmit to also transmit on a point-to-multipoint basis from an MDS station or MDS booster station; and

(3) A demonstration that:

(i) The proposed response station hub is within the protected service area, as defined in § 21.902(d)(1) of this chapter, of the ITFS station(s) whose channels will be used for communications to the response station hub or, in the case of an application for response stations to utilize one or more of the 125 kHz response channels, the response station hub is within the protected service area of the station authorized to utilize the associated channel(s); and

(ii) The entire proposed response service area is within the protected service area of the ITFS station(s) whose channels will be used for communications to the response station hub or, in the alternative, the applicant may demonstrate that the licensee of any cochannel protected service area which is overlapped by the proposed response service area has consented to such overlap. In the case of an application for response stations to utilize one or more of the 125 kHz response channels, such demonstration

shall establish that the response service area is entirely within the protected service area of the station authorized to utilize the associated channel(s), or, in the alternative, that the licensee entitled to any cochannel protected service area which is overlapped by the proposed response service area has consented to such overlap; and

(iii) The combined signals of all simultaneously operating ITFS response stations within all response service areas and oriented to transmit toward their respective response station hubs and all cochannel ITFS stations and booster stations licensed to or applied for by the applicant will not generate a power flux density in excess of -73 dBW/m² (or the pro rata power spectral density equivalent based on the bandwidth actually employed in those cases where less than a 6 MHz channel is to be employed) outside the boundaries of the applicant's protected service area, as measured at locations for which there is an unobstructed signal path, except to the extent that consent of affected licensees has been obtained or consents have been granted pursuant to paragraph (d)(3)(ii) of this section to an extension of the response service area beyond the boundaries of the protected service area; and

(iv) The combined signals of all simultaneously operating ITFS response stations within all response service areas and oriented to transmit toward their respective response station hubs, and all cochannel ITFS stations and booster stations licensed to or applied for by the applicant, will result in a desired to undesired signal ratio of at least 45 dB (or the appropriately adjusted value based upon the ratio of the channel-to-subchannel bandwidths):

(A) Within the protected service area of any authorized or previously-proposed cochannel MDS or ITFS station with center coordinates located within 160.94 km (100 miles) of the proposed response station hub; and

(B) Within the booster service area of any cochannel booster station entitled to such protection pursuant to § 21.913(f) of this chapter or 74.985(f) and located within 160.94 km (100 miles) of the proposed response station hub; and

(C) At any registered receive site of any authorized or previously-proposed

cochannel ITFS station or booster station located within 160.94 km (100 miles) of the proposed response station hub, or, in the alternative, that the licensee or applicant for such cochannel station or hub consents to the application; and

(v) The combined signals of all simultaneously operating ITFS response stations within all response service areas and oriented to transmit toward their respective response station hubs, and all cochannel ITFS stations and booster stations licensed to or applied for by the applicant, will result in a desired to undesired signal ratio of at least 0 dB (or the appropriately adjusted value based upon the ratio of the channel-to-subchannel bandwidths):

(A) Within the protected service area of any authorized or previously-proposed adjacent channel MDS or ITFS station with center coordinates located within 160.94 km (100 miles) of the proposed response station hub; and

(B) Within the booster service area of any adjacent channel booster station entitled to such protection pursuant to §§ 21.913(f) of this chapter or 74.985(f) and located within 160.94 km (100 miles) of the proposed response station hub; and

(C) At any registered receive site of any authorized or previously-proposed adjacent channel ITFS station or booster station located within 160.94 km (100 miles) of the proposed response station hub, or, in the alternative, that the licensee or applicant for such adjacent channel station or hub consents to such application; and

(vi) The combined signals of all simultaneously operating ITFS response stations within all response service areas and oriented to transmit toward their respective response station hub and all cochannel ITFS stations and booster stations licensed to or applied for by the applicant will comply with the requirements of § 21.909(i) of this chapter and paragraph (i) of this section.

(4) A certification that the application has been served upon

(i) The holder of any cochannel or adjacent channel authorization with a protected service area which is overlapped by the proposed response service area;

(ii) The holder of any cochannel or adjacent channel authorization with a protected service area that adjoins the applicant's protected service area;

(iii) The holder of a cochannel or adjacent channel authorization for any BTA or PSA inside whose boundaries are locations for which there is an unobstructed signal path for combined signals from within the response station hub applicant's protected service area; and

(iv) Every licensee of, or applicant for, any cochannel or adjacent channel, authorized or previously-proposed, incumbent MDS station with a 56.33 km (35 mile) protected service area with center coordinates located within 160.94 km (100 miles) of the proposed response station hub; and

(v) Every licensee of, or applicant for, any cochannel or adjacent channel, authorized or previously-proposed ITFS station (including any booster station or response station hub) located within 160.94 km (100 miles) of the proposed response station hub.

(e) Applications for response station hub licenses shall be deemed minor change applications and, except as provided in § 74.911(e), may be filed at any time. Notwithstanding any other provision of part 74, applications for response station hub licenses meeting the requirements of paragraph (c) of this section shall cut-off applications that are filed on a subsequent day for facilities that would cause harmful electromagnetic interference to the proposed response station hubs. A response station hub shall not be entitled to protection from interference caused by facilities proposed on or prior to the day the application for the response station hub license is filed. Response stations shall not be required to protect from interference facilities proposed on or after the day the application for the response station hub license is filed.

(f) Notwithstanding the provisions of § 74.912 and except as provided by § 74.911(e), any petition to deny an application for a response station hub license shall be filed no later than the sixtieth (60th) day after the date of public notice announcing the filing of such application or major amendment thereto. Notwithstanding § 74.911(d) and

except as provided in § 74.911(e), an application for a response station hub license that meets the requirements of this section shall be granted on the sixty-first (61st) day after the Commission shall have given public notice of the acceptance for filing of it, or of a major amendment to it if such major amendment has been filed, unless prior to such date either a party in interest timely files a formal petition to deny or for other relief pursuant to § 74.912, or the Commission notifies the applicant that its application will not be granted. Where an application is granted pursuant to the provisions of this paragraph, the conditional licensee or licensee shall maintain a copy of the application at the response station hub until such time as the Commission issues a response station hub license.

(g) An ITFS response station hub license establishing a response service area shall be conditioned upon compliance with the following:

(1) No ITFS response station shall be located beyond the response service area of the response station hub with which it communicates; and

(2) No ITFS response station shall operate with a transmitter output power in excess of 2 watts; and

(3) No ITFS response station shall operate with an EIRP in excess of that specified in the application for the response station hub pursuant to paragraph (d)(2)(i)(B) of this section for the particular regional class of characteristics with which the response station is associated, and such response station shall not operate at an excess of 33 dBW EIRP (or, when subchannels or superchannels, or 125 kHz channels, are used, the appropriately adjusted value based upon the ratio of 6 MHz to the subchannel or superchannel, or 125 kHz, bandwidth); and

(4) Each ITFS response station shall employ a transmission antenna oriented toward the response station hub with which the ITFS response station communicates, and such antenna shall be no less directional than the worst case outer envelope pattern specified in the application for the response station hub pursuant to paragraph (d)(2)(i)(D) of this section for the regional class of characteristics with which the response station is associated; and

(5) The combined out-of-band emissions of all response stations using all or part of one or multiple contiguous 6 MHz channels and employing digital modulation shall comply with § 74.936(e). The combined out-of-band emissions of all response stations using all or part of one or multiple contiguous 125 kHz channels shall comply with paragraph (k) of this section. However, should harmful interference occur as a result of emissions outside the assigned channel, additional attenuation may be required; and

(6) The response stations transmitting simultaneously at any time within any given region of the response service area utilized for purposes of analyzing the potential for interference by response stations shall conform to the numerical limits for each class of response station proposed in the application for the response station hub license. Notwithstanding the foregoing, the licensee of a response station hub license may alter the number of response stations of any class operating simultaneously in a given region, without prior Commission authorization, provided that the licensee:

(i) First notifies the Commission of the altered number of response stations of such class(es) to be operated simultaneously in such region, and certifies in that notification that it has complied with the requirements of paragraphs (g)(6)(ii) and (iii) of this section; and

(ii) Provides ITS with a copy of such notification and with an analysis establishing that such alteration will not result in any increase in interference to the protected service area or protected receive sites of any existing or previously-proposed, cochannel or adjacent channel MDS or ITFS station or booster station, to the protected service area of any MDS Basic Trading Area or Partitioned Service Area licensee entitled to protection pursuant to paragraph (d)(3) of this section, or to any existing or previously-proposed, cochannel or adjacent channel response station hub, or response station under § 21.949 of this chapter or § 74.949; or that the applicant for or licensee of such facility has consented to such interference; and

(iii) Serves a copy of such notification and analysis upon each party entitled to be served pursuant to paragraph (d)(4) of this section; and

(iv) Submits to the Commission, only upon Commission staff request, duplicates of the submissions required by paragraph (g)(6)(ii) of this section; and

(7) Where an application is granted under this section, if a facility operated pursuant to that grant causes harmful, unauthorized interference to any cochannel or adjacent channel facility, it must promptly remedy the interference or immediately cease operations of the interfering facility, regardless of whether any petitions to deny or for other relief were filed against the application during the application process. The burden of proving that a facility operated under this section is not causing harmful, unauthorized interference lies on the licensee of the alleged interfering facility, following the filing of a documented complaint of interference by an affected party; and

(8) In the event any MDS or ITFS receive site suffers interference due to block downconverter overload, the licensee of each response station hub with a response service area within five miles of such receive site shall cooperate in good faith to expeditiously identify the source of the interference. Each licensee of a response station hub with an associated response station contributing to such interference shall bear the joint and several obligation to promptly remedy all interference resulting from block downconverter overload at any ITFS receive site registered prior to the submission of the application for the response station hub license or at any receive site within an MDS or ITFS protected service area applied for prior to the submission of the application for the response station hub license, regardless of whether the receive site suffering the interference was constructed prior to or after the construction of the response station(s) causing the downconverter overload; provided, however, that the licensee of the registered ITFS receive site or the MDS or ITFS protected service area must cooperate fully and in good faith with efforts by the response station hub licensee to prevent

interference before constructing response stations and/or to remedy interference that may occur. In the event that more than one response station hub licensee contributes to block downconverter interference at a MDS or ITFS receive site, the licensees of the contributing response station hubs shall cooperate in good faith to remedy promptly the interference.

(h) Applicants must comply with part 17 of this chapter concerning notification to the Federal Aviation Administration of proposed antenna construction or alteration. The provisions of §§ 74.967 and 74.981(a)(5), concerning antenna painting and lighting requirements, apply to ITFS response stations and response station hubs, as well as to main and booster stations.

(i) Response station hubs shall be protected from cochannel and adjacent channel interference in accordance with the following criteria:

(1) An applicant for any new or modified MDS or ITFS station (including any high-power booster station or response station hub) shall be required to demonstrate interference protection to a response station hub within 160.94 km (100 miles) of the proposed facilities. In lieu of the interference protection requirements set forth in §§ 21.902(i) of this chapter, 21.938(b)(3) of this chapter and 74.903, such demonstration shall establish that the proposed facility will not increase the effective power flux density of the undesired signals generated by the proposed facility and any associated main stations, booster stations or response stations at the response station hub antenna for any sector. In lieu of the foregoing, an applicant for a new MDS or ITFS main station license or for a new or modified response station hub or booster license may demonstrate that the facility will not increase the noise floor at a reception antenna of the response station hub by more than 1 dB for cochannel signals and 45 dB for adjacent channel signals, provided that:

(i) The entity submitting the application may only invoke this alternative once per response station hub reception sector; or

(ii) The licensee of the affected response station hub may consent to re-

ceive a certain amount of interference at its hub.

(2) Commencing upon the filing of an application for an ITFS response station hub license and until such time as the application is dismissed or denied or, if the application is granted, a letter informing the Commission of completion of construction is submitted, the ITFS station whose channels are being utilized shall be entitled both to interference protection pursuant to §§ 21.902(i) of this chapter, 21.938(b)(3) of this chapter and 74.903, and to protection of the response station hub pursuant to the preceding paragraph. Unless the application for the response station hub license specifies that the same frequencies also will be employed for digital and/or analog point-to-multipoint transmissions by ITFS stations and/or ITFS booster stations, upon the submission of a letter informing the Commission of completion of construction of an ITFS response station hub where the channels of an ITFS station are being utilized as response station transmit frequencies, the ITFS station whose channels are being utilized for response station transmissions shall no longer be entitled to interference protection pursuant to §§ 21.902(i) of this chapter, 21.938(b)(3) of this chapter and 74.903 within the response service area with regard to any portion of any 6 MHz channel employed solely for response station communications. Upon the submission of a letter informing the Commission of completion of construction of an ITFS response station hub where the channels of an ITFS station are being utilized for response station transmissions and the application for the response station hub license specifies that the same frequencies will be employed for point-to-multipoint transmissions, the ITFS station whose channels are being utilized shall be entitled both to interference protection pursuant to §§ 21.902(i) of this chapter, 21.938(b)(3) of this chapter and 74.903, and to protection of the response station hub pursuant to the preceding provisions of this paragraph.

(j) ITFS response stations may operate on either all or part of a 6 MHz channel assigned a licensee, on any 125 kHz channel assigned a licensee, or on adjacent frequencies authorized to

multiple licensees where such stations are operated jointly. The 125 kHz channels listed in the following table shall be assigned to the licensees of MDS and ITFS stations for use at response stations, or for licensing for point-to-multipoint transmissions pursuant to paragraph (l) of this section, in accordance with the table. The specified 125 kHz frequency channel may be subdivided to provide a distinct operating frequency for each of more than one station, or may be combined with adjacent channels, provided that digital modulation is employed in accordance with paragraph (a) of this section. The specified 125 kHz frequency channels also may be exchanged with the licensee of another MDS or ITFS station for use of another 125 kHz channel assigned to the other licensee.

Frequency (MHz)	Main channel designation	125 kHz channel designation
2686.0625	A1	I1
2686.1875	B1	I2
2686.3125	C1	I3
2686.4375	D1	I4
2686.5625	E1	I5
2686.6875	F1	I6
2686.8125	G1	I7
2686.9375	H1	I8
2687.0625	A2	I9
2687.1875	B2	I10
2687.3125	C2	I11
2687.4375	D2	I12
2687.5625	E2	I13
2687.6875	F2	I14
2687.8125	G2	I15
2687.9375	H2	I16
2688.0625	A3	I17
2688.1875	B3	I18
2688.3125	C3	I19
2688.4375	D3	I20
2688.5625	E3	I21
2688.6875	F3	I22
2688.8125	G3	I23
2688.9375	H3	I24
2689.0625	A4	I25
2689.1875	B4	I26
2689.3125	C4	I27
2689.4375	D4	I28
2689.5625	E4	I29
2689.6875	F4	I30
2689.8125	G4	I31

(k) 125 kHz wide response channels shall be subject to the following requirements: The 125 kHz wide channel shall be centered at the assigned frequency. If amplitude modulation is used, the carrier shall not be modulated in excess of 100%. If frequency modulation is used, the deviation shall not exceed ± 25 kHz. Any emissions out-

side the channel shall be attenuated at the channel edges at least 35 dB below peak output power when analog modulation is employed or 35 dB below licensed average output power when digital modulation is employed (or, when subchannels are used, the appropriately adjusted value based upon the ratio of the channel-to-subchannel bandwidths). Any emissions more than 125 kHz from either channel edge, including harmonics, shall be attenuated at least 60 dB below peak output power when analog modulation is employed, or at least 60 dB below licensed average output power when digital modulation is employed (or, when subchannels are used, the appropriately adjusted value based upon the ratio of the channel-to-subchannel bandwidths). Notwithstanding the foregoing, in situations where adjacent channel licensees jointly transmit over more than one channel utilizing digital modulation, the maximum out-of-band power shall be attenuated at the edges of those combined channels at least 35 dB relative to the licensed average power level of each channel. Emissions more than 125 kHz from either edge of the combined channels, including harmonics, shall be attenuated at least 60 dB below peak analog power or licensed average digital power of each channel, as appropriate. Different types of emissions may be authorized for use on 125 kHz wide channels if the applicant describes fully the modulation and bandwidth desired, and demonstrates that the modulation selected will cause no more interference than is permitted under this paragraph. Greater attenuation may be required if interference is caused by out-of-channel emissions.

(l) Any MDS or ITFS conditional licensee or licensee who wishes to use one or more of its associated I channels for point-to-multipoint transmissions in a system with one or more authorized, or previously- or simultaneously-proposed, response station hub(s) shall:

(1) File FCC Form 331 with the Commission, filing with Mellon Bank for I channels associated with an MDS station, and filing with the Commission in Washington, DC for I channels associated with an ITFS station. The application shall specify which of the associated I channels is/are intended for

point-to-multipoint transmissions. The applicant also shall certify on the appropriate form that it has complied with the requirements of paragraph (l)(2) of this section. Failure to certify compliance and to comply completely with the requirements of paragraph (l)(2) of this section shall result in dismissal of the application or revocation of the authorization for point-to-multipoint transmissions on the relevant I channels, and may result in imposition of a monetary forfeiture. Modification applications to convert I channels associated with ITFS stations to point-to-multipoint transmissions shall be considered minor changes for purposes of § 74.911. These applications shall be subject to the procedures set forth in § 21.27(d) of this chapter or § 74.911(e), as appropriate; and

(2) Submit to International Transcription Services, Inc., 1231 20th Street, N.W., Washington, DC 20036, both in hard copy, and on a 3.5" computer diskette in ASCII, and likewise submit to the Commission, only upon Commission staff request:

(i) Duplicates of the Form 331 filed with Mellon Bank or with the Commission, as appropriate; and

(ii) The interference analyses required to be performed under § 21.902 of this chapter, and § 21.938 of this chapter where appropriate, including the provisions of §§ 21.909 of this chapter, 21.913 of this chapter, 74.939 and 74.985 regarding the protection of response station hubs and booster service areas from harmful electromagnetic interference, and including protection of stations authorized pursuant to §§ 21.949 of this chapter and 74.949 from harmful electromagnetic interference, using the appropriately adjusted interference protection values based upon the ratio of the bandwidths in use; and

(3) Except as provided in § 21.27(d) of this chapter or § 74.911(e), as appropriate, be permitted to file applications to convert associated I channels to point-to-multipoint transmissions at any time. I channels used for point-to-multipoint transmissions shall be afforded interference protection in the same manner as other point-to-multipoint MDS and ITFS facilities, with appropriate adjustment of the interference protection values for band-

width. Notwithstanding any other provision of parts 21 and 74, applications to convert associated I channels to point-to-multipoint transmissions, meeting the requirements of paragraphs (l) (1) and (2) of this section, shall cut-off applications that are filed on a subsequent day for facilities that would cause harmful electromagnetic interference to the proposed point-to-multipoint operations; and

(4) Notwithstanding the provisions of §§ 21.30(a)(4) of this chapter and 74.912, and except as provided in § 21.27(d) of this chapter or § 74.911(e), as appropriate, be subject to a petition to deny an application to convert associated I channels to point-to-multipoint transmissions that is filed no later than the sixtieth (60th) day after the date of public notice announcing the filing of such application or major amendment thereto. Notwithstanding §§ 21.31 of this chapter and 74.911(d), and except as provided in § 21.27(d) of this chapter or § 74.911(e), as appropriate, an application to convert associated I channels to point-to-multipoint transmissions that meets the requirements of this paragraph shall be granted on the sixty-first (61st) day after the Commission shall have given public notice of the acceptance for filing of it, or of a major amendment to it if such major amendment has been filed, unless prior to such date either a party in interest timely files a formal petition to deny or for other relief pursuant to § 21.30(a) of this chapter or § 74.912, or the Commission notifies the applicant that its application will not be granted. Where an application is granted pursuant to the provisions of this paragraph, the conditional licensee or licensee shall maintain a copy of the application at the I channels station until such time as the Commission issues an I channels station license for point-to-multipoint transmissions; and

(5) Where an application is granted under this paragraph, and a facility operated pursuant to that grant causes harmful, unauthorized interference to any cochannel or adjacent channel facility, promptly remedy the interference or immediately cease operations of the interfering facility, regardless of whether any petitions to deny or for other relief were filed

against the application during the application process. The burden of proving that a facility operated under this paragraph is not causing harmful, unauthorized interference lies on the licensee of the alleged interfering facility, following the filing of a documented complaint of interference by an affected party.

(m) A response station may be operated unattended. The overall performance of the response station transmitter shall be checked by the hub licensee as often as necessary to ensure that it is functioning in accordance with the requirements of the Commission's rules. The licensee of a response station hub is responsible for the proper operation of all associated response stations and must have reasonable and timely access to all station transmitters. Response stations shall be installed and maintained by the licensee of the associated hub station, or the licensee's employees or agents, and protected in such manner as to prevent tampering or operation by unauthorized persons. No response hub may lawfully communicate with any response station which has not been installed by an authorized person, and each response station hub licensee is responsible for maintaining, and making available to the Commission upon request, a list containing the customer name and site location (street address and latitude/longitude to the nearest second) of each associated response station, plus the technical parameters (e.g., EIRP, emission, bandwidth, and antenna pattern, height, orientation and polarization) pertinent to each specific response station.

(n) The transmitting apparatus employed at ITFS response stations shall have received type certification.

(o) An ITFS response station shall be operated only when engaged in communication with its associated ITFS response station hub or ITFS station, or for necessary equipment or system tests and adjustments. Radiation of an unmodulated carrier and other unnecessary transmissions are forbidden.

(p) At least 20 days prior to the activation of a response station transmitter located within a radius of 1960 feet of a registered or previously-applied-for ITFS receive site, the re-

sponse station hub licensee must notify, by certified mail, the licensee of the ITFS site of the intention to activate the response station. The notification must contain the street address and geographic coordinates (to the nearest second) of the response station, a specification of the station's EIRP, antenna pattern/orientation/height AMSL, channel(s) to be used, as well as the name and telephone number of a contact person who will be responsible for coordinating the resolution of any interference problems.

(q) Interference calculations shall be performed in accordance with Appendix D to the *Report and Order* in MM Docket No. 97-217, FCC 98-231, "Methods For Predicting Interference From Response Station Transmitters and To Response Station Hubs and For Supplying Data on Response Station Systems." Compliance with the out-of-band emission limitations shall be established in accordance with §21.908(e) of this chapter.

[63 FR 65119, Nov. 25, 1998]

EFFECTIVE DATE NOTE: At 63 FR 65119, Nov. 25, 1998, §74.939 was revised. Paragraphs (c), (d), (f), (g)(6), (h), (i), (l)(1), (l)(2), (l)(4), (m) and (p) contain information collection and recordkeeping requirements and will not be effective until approved by the Office of Management and Budget.

§ 74.949 Individually licensed 125 kHz channel ITFS response stations.

(a) The provisions of §74.939 (a), (e), (h), (j), (k), (n) and (o), also shall apply with respect to authorization of a 125 kHz channel(s) ITFS response station not under a response station hub license. The applicant shall comply with the requirements of §21.902 of this chapter, and §21.938 of this chapter where appropriate, including the provisions of §§21.909 of this chapter, 21.913 of this chapter, 74.939 and 74.985 regarding the protection of response station hubs and booster service areas from harmful electromagnetic interference, using the appropriately adjusted interference protection values based upon the ratio of the bandwidths in use, where the authorized or previously-proposed cochannel or adjacent channel station is operated or to be operated in a system with one or more response station hub(s).

(b) An application for a license to operate a new or modified 125 kHz channel(s) ITFS response station not under a response station hub license shall be filed with the Commission in Washington, DC, on FCC Form 330. The applicant shall supply the following information on that form for each response station:

(1) The geographic coordinates and street address of the ITFS response station transmitting antenna; and

(2) The manufacturer's name, type number, operating frequency, and power output of the proposed ITFS response station transmitter; and

(3) The type of transmitting antenna, power gain, azimuthal orientation and polarization of the major lobe of radiation in degrees measured clockwise from True North; and

(4) A sketch giving pertinent details of the ITFS response station transmitting antenna installation including ground elevation of the transmitter site above mean sea level; overall height above ground, including appurtenances, of any ground-mounted tower or mast on which the transmitting antenna will be mounted or, if the tower or mast is or will be located on an existing building or other manmade structure, the separate heights above ground of the building and the tower or mast including appurtenances; the location of the tower or mast on the building; the location of the transmitting antenna on the tower or mast; and the overall height of the transmitting antenna above ground.

(c) Each ITFS response station licensed under this section shall comply with the following:

(1) No ITFS response station shall be located beyond the protected service area of the ITFS station with which it communicates; and

(2) No ITFS response station shall operate with a transmitter output power in excess of 2 watts; and

(3) No ITFS response station shall operate at an excess of 16 dBW EIRP.

(d) During breaks in communications, the unmodulated carrier frequency shall be maintained within 35 kHz of the assigned frequency at all times. Adequate means shall be provided to insure compliance with this rule.

(e) Each ITFS response station shall employ a directive transmitting antenna oriented towards the transmitter site of the associated ITFS station or towards the response station hub with which the ITFS response station communicates. The beamwidth between half power points shall not exceed 15° and radiation in any minor lobe of the antenna radiation pattern shall be at least 20 dB below the power in the main lobe of radiation.

(f) A response station may be operated unattended. The overall performance of the response station transmitter shall be checked by the licensee of the station or hub receiving the response signal, or by the licensee's employees or agents, as often as necessary to ensure that the transmitter is functioning in accordance with the requirements of the Commission's rules. The licensee of the station or hub receiving the response signal is responsible for the proper operation of the response station and must have reasonable and timely access to the response station transmitter. The response station shall be installed and maintained by the licensee of the associated station or hub, or the licensee's employees or agents, and protected in such manner as to prevent tampering or operation by unauthorized persons. No response station which has not been installed by an authorized person may lawfully communicate with any station or hub.

[63 FR 65124, Nov. 25, 1998. Redesignated at 64 FR 4055, Jan. 27, 1999]

EFFECTIVE DATE NOTE: At 63 FR 65124, Nov. 25, 1998, § 74.940 was added. At 64 FR 4055, Jan. 27, 1999, § 74.940 was redesignated as § 74.949. Paragraphs (a), (b)(3), (b)(4) and (f) contain information collection and recordkeeping requirements and will not be effective until approved by the Office of Management and Budget.

§ 74.951 Modification of transmission systems.

Formal application on FCC Form 330 is required for any of the following changes or modifications of the transmission systems:

(a) Replacement of the transmitter as a whole, except replacement with a transmitter of identical power rating which has been certificated by the FCC

Federal Communications Commission

§ 74.962

for use by instructional TV fixed stations, or any change which could result in a change in the electrical characteristics or performance of the station. Upon the installation or modification of the transmitting equipment for which prior FCC authority is not required under the provisions of this paragraph, the licensee shall place in the station records a certification that the new installation complies in all respects with the technical requirements of this part and the terms of the station authorization.

(b) Any change in the antenna system affecting the direction of radiation, directive radiation pattern, antenna gain, or radiated power; provided, however, that a licensee may install a sectorized antenna system without prior consent if such system does not change polarization or result in an increase in radiated power by more than one dB in any direction, and notice of such installation is provided to the Commission on FCC Form 331 within ten (10) days of installation.

(c) Any change in the overall height of the antenna structure, except where notice to the Federal Aviation Administration is specifically not required under § 17.14(b) of the FCC Rules.

(d) Any change in the location of the transmission system except a move within the same building or upon the same antenna supporting structure.

(e) A change in frequency assignment.

(f) A change in the operating power.

(g) Any addition of receiving locations or to modify such a location to a receive and response station.

[45 FR 26068, Apr. 17, 1980, as amended at 50 FR 26761, June 28, 1985; 52 FR 3806, Feb. 6, 1987; 53 FR 36788, Sept. 22, 1988; 63 FR 36605, July 7, 1998; 63 FR 65124, Nov. 25, 1998]

EFFECTIVE DATE NOTE: At 63 FR 65124, Nov. 25, 1998, § 74.951 was amended by revising paragraph (b). Paragraph (b) contains information collection and recordkeeping requirements and will not be effective until approved by the Office of Management and Budget.

§ 74.952 Acceptability of equipment for licensing.

ITFS transmitters must be type certified by the Commission for the particular signals that will be employed in

actual operation. Either the manufacturer or the licensee must obtain transmitter certification for the transmitter by filing an application for certification with appropriate information concerning the signal waveforms and measurements.

[63 FR 65124, Nov. 25, 1998]

§ 74.961 Frequency tolerance.

(a) The frequency of any ITFS station, or of any ITFS booster station authorized pursuant to § 74.985(b), shall be maintained within ± 1 kHz of the assigned frequency at all times when the station is in operation. ITFS booster stations authorized pursuant to § 74.985(e) and ITFS response stations authorized pursuant to § 74.939 shall employ transmitters with sufficient frequency stability to ensure that the emission stays within the authorized bandwidth. A transmitter licensed prior to November 1, 1991, that remains at the station site initially licensed and does not comply with this paragraph may continue to be used for its life if it does not cause harmful interference to the operation of any other licensee. Any non-conforming transmitter replaced after November 1, 1991, must be replaced by a transmitter meeting the requirements of this paragraph.

(b) For television transmission, the peak power of the accompanying aural signal must not exceed 10 percent of the peak visual power of the transmitter.

(c) Any licensee with transmission equipment conforming to the transmitter tolerance standard of this section can be required to use frequency offset where it is demonstrated to be necessary to avoid harmful interference with another station.

[55 FR 46014, Oct. 31, 1990, as amended at 63 FR 65124, Nov. 25, 1998]

§ 74.962 Frequency monitors and measurements.

Suitable measurements shall be made as often as necessary to ensure that the operating frequencies of the station are within the prescribed tolerances.

[52 FR 3806, Feb. 6, 1987]

§ 74.963

§ 74.963 Time of operation.

(a) An instructional television fixed station is not required to adhere to any regular schedule of operation. Unless otherwise specified in the license, the hours of operation are not limited.

(b) Except for purposes of tests and adjustments, the transmitter shall not be permitted to radiate unmodulated carriers or otherwise make unnecessary transmissions for extended periods of time.

§ 74.965 Posting of station license.

(a) The instrument of authorization, a clearly legible photocopy thereof, or the name, address and telephone number of the custodian of the instrument of authorization shall be available at each station, booster station authorized pursuant to § 74.985(b) and ITFS response station hub. Each operator of an ITFS booster station shall post at the booster station the name, address and telephone number of the custodian of the notification filed pursuant to § 74.985(e) if such notification is not maintained at the booster station.

(b) If an ITFS station, an ITFS booster station or an ITFS response station hub is operated unattended, the call sign and name of the licensee shall be displayed such that it may be read within the vicinity of the transmitter enclosure or antenna structure.

[63 FR 65125, Nov. 25, 1998]

EFFECTIVE DATE NOTE: At 63 FR 65125, Nov. 25, 1998, § 74.965 was revised. This section contains information collection and record-keeping requirements and will not be effective until approved by the Office of Management and Budget.

§ 74.969 Copies of rules.

The licensee of an instructional television fixed station shall have a current copy of Parts 73 and 74 of this chapter. In cases where aeronautical hazard marking of antennas is required, such licensee shall also have a current copy of Part 17 of this chapter. Each licensee is expected to be familiar with the pertinent rules governing instructional television fixed stations.

[60 FR 55483, Nov. 1, 1995]

47 CFR Ch. I (10–1–99 Edition)

§ 74.970 Modulation limits.

(a) *Visual transmitter.* The maximum excursion of the luminance signal in the white direction shall not exceed the value specified in § 73.682(a)(13) of this chapter for the reference white level.

(b) *Aural transmitter.* The maximum frequency deviation of the aural carrier shall not be permitted to exceed ± 75 kHz on peaks of frequent recurrence during any transmission. This is defined as 100% modulation.

[28 FR 13731, Dec. 14, 1963, as amended at 49 FR 32596, Aug. 15, 1984]

§ 74.971 Modulation monitors and measurements.

Suitable means shall be provided to insure that the modulation limits specified in § 74.970 are observed.

§ 74.982 Station identification.

(a) Call signs for instructional television fixed stations will consist of three letters and three digits pursuant to the provisions of § 2.302 of this chapter relating to fixed stations.

(b) Except as otherwise provided in paragraphs (c) and (d) of this section, each instructional television fixed station solely utilizing analog transmissions shall transmit its call sign at the beginning and end of each period of operation and, during operation, on the hour. Visual or aural transmissions shall be employed.

(c) The hourly station identification announcement during operation may be deferred if it would interrupt a single consecutive demonstration, lecture, or other similar discourse or otherwise impair the continuity of a program in progress. In such cases the station identification announcement shall be made at the first normal break in the continuity of the program.

(d) In cases where an instructional television fixed station is operating as a relay for signals originating at some other station operated by the same licensee, its call sign shall be announced by the originating station at the times and in the manner prescribed in paragraph (b) of this section.

(e) Where an instructional television fixed station is operating as a relay for

signals originating at a station operated by some other licensee, its call sign may be transmitted by the originating station, if suitable arrangements can be made with the other licensee, or means shall be provided for the transmission of the call sign by the relay transmitter itself. Low power relay stations, authorized by § 74.950(f)(4) will not be assigned individual call signs. Station identification will be accomplished by the retransmission of the call sign of the primary station.

(f) Temporary fixed ITFS stations shall identify with the call sign of the primary station and a temporary fixed identifier.

(g) The provisions of paragraphs (b) through (e) of this section shall not apply to any ITFS licensee's station or transmissions where digital transmissions are utilized by the ITFS licensee on any of its licensed or shifted channels.

[28 FR 13731, Dec. 14, 1963, as amended at 36 FR 8873, May 4, 1971; 38 FR 25991, Sept. 17, 1973; 49 FR 32596, Aug. 15, 1984; 63 FR 65125, Nov. 25, 1998]

§ 74.984 Retransmissions.

An instructional television fixed station may not retransmit the signals of any class of station without consent of the station originating the signals to be retransmitted.

§ 74.985 Signal booster stations.

(a) An ITFS booster station may reuse channels to repeat the signals of ITFS stations or to originate signals on ITFS channels. The aggregate power flux density generated by an ITFS station and all associated signal booster stations and all simultaneously operating cochannel response stations licensed to or applied for by the applicant may not exceed -73 dBW/m² (or, when subchannels or 125 kHz channels are used, the appropriately adjusted value based upon the ratio of the channel-to-subchannel or 125 kHz bandwidths) at or beyond the boundary of the protected service area, as defined by § 21.902(d)(1) of this chapter, of the main ITFS station whose channels are being reused, as measured at locations for which there is an unobstructed signal path, unless the con-

sent of the cochannel licensee is obtained.

(b) An ITFS licensee or conditional licensee who is a response station hub licensee, conditional licensee or applicant may secure a license for an ITFS signal booster station that has a maximum power level in excess of -9 dBW EIRP (or, when subchannels or superchannels, or 125 kHz channels, are used, the appropriately adjusted value based upon the ratio of 6 MHz to the subchannel or superchannel, or 125 kHz, bandwidth) and that employs only digital modulation with uniform power spectral density in accordance with the Commission's Declaratory Ruling and Order, 11 FCC Rcd 18839 (1996) (a "high-power ITFS signal booster station"). The applicant for a high-power ITFS signal booster station shall file FCC Form 331 with the Commission in Washington, DC, and certify on that form that the applicant has complied with the additional requirements of paragraph (b) of this section. Failure to certify compliance and to comply completely with the following requirements of paragraph (b) of this section shall result in dismissal of the application or revocation of the high-power ITFS signal booster station license, and may result in imposition of a monetary forfeiture. The applicant for a high-power ITFS signal booster station additionally is required to submit to International Transcription Services, Inc., 1231 20th Street, N.W., Washington, DC 20036, both in hard copy, and on a 3.5" computer diskette in ASCII, and likewise to submit to the Commission, only upon Commission staff request, duplicates of the Form 331 filed with the Commission, and the following information:

(1) A demonstration that the proposed signal booster station site is within the protected service area, as defined in § 21.902(d)(1) of this chapter, of the main ITFS station whose channels are to be reused; and

(2) A demonstration that the booster service area is entirely within the protected service area of the ITFS station whose channels are being reused, or in the alternative, that the licensee entitled to any cochannel protected service

area which is overlapped by the proposed booster service area has consented to such overlap; and

(3) A demonstration that the proposed booster service area can be served by the proposed booster without interference; and

(4) A study which demonstrates that the aggregate power flux density of the ITFS station and all associated booster stations and simultaneously operating cochannel response stations licensed to or applied for by the applicant does not exceed -73 dBW/m² (or, when subchannels or 125 kHz channels are used, the appropriately adjusted value based upon the ratio of the channel-to-subchannel or 125 kHz bandwidths) at or beyond the boundary of the protected service area of the main ITFS station whose channels are to be reused, as measured at locations for which there is an unobstructed signal path, unless the consent of affected licensees has been obtained; and

(5) In lieu of the requirements of § 74.903, a study which demonstrates that the proposed signal booster station will cause no harmful interference (as defined in § 74.903(a) (1) and (2)) to cochannel and adjacent channel, authorized or previously-proposed ITFS and MDS stations with protected service area center coordinates as specified in § 21.902(d) of this chapter, to any authorized or previously-proposed response station hubs, booster service areas, or I channel stations associated with such ITFS and MDS stations, or to any previously-registered ITFS receive sites, within 160.94 kilometers (100 miles) of the proposed booster station's transmitter site. Such study shall consider the undesired signal levels generated by the proposed signal booster station, the main station, all other licensed or previously-proposed associated booster stations, and all simultaneously operating cochannel response stations licensed to or applied for by the applicant. In the alternative, a statement from the affected MDS or ITFS licensee or conditional licensee stating that it does not object to operation of the high-power ITFS signal booster station may be submitted; and

(6) A description of the booster service area; and

(7) A certification that copies of the materials set forth in paragraph (b) of this section have been served upon the licensee or conditional licensee of each station (including each response station hub and booster station) required to be studied pursuant to paragraph (b)(5) of this section, and upon any affected holder of a BTA or PSA authorization pursuant to paragraph (b)(4) of this section.

(c) Applications for high-power ITFS signal booster station licenses shall be deemed minor change applications and, except as provided in § 74.911(e), may be filed at any time. Notwithstanding any other provision of part 74, applications for high-power ITFS signal booster station licenses meeting the requirements of paragraph (b) of this section shall cut-off applications that are filed on a subsequent day for facilities that would cause harmful electromagnetic interference to the proposed booster stations.

(d) Notwithstanding the provisions of § 74.912 and except as provided in § 74.911(e), any petition to deny an application for a high-power ITFS signal booster station license shall be filed no later than the sixtieth (60th) day after the date of public notice announcing the filing of such application or major amendment thereto. Notwithstanding § 74.911(d) and except as provided in § 74.911(e), an application for a high-power ITFS signal booster station license that meets the requirements of paragraph (b) of this section shall be granted on the sixty-first (61st) day after the Commission shall have given public notice of the acceptance for filing of it, or of a major amendment to it if such major amendment has been filed, unless prior to such date either a party in interest timely files a formal petition to deny or for other relief pursuant to § 74.912, or the Commission notifies the applicant that its application will not be granted. Where an application is granted pursuant to the provisions of this paragraph, the conditional licensee or licensee shall maintain a copy of the application at the ITFS booster station until such time as the Commission issues a high-power ITFS signal booster station license.

(e) Eligibility for a license for an ITFS signal booster station that has a

maximum power level of -9 dBW EIRP (or, when subchannels or superchannels, or 125 kHz channels, are used, the appropriately adjusted value based upon the ratio of 6 MHz to the subchannel or superchannel, or 125 kHz, bandwidth) (a "low-power ITFS signal booster station") shall be restricted to an ITFS licensee or conditional licensee. A low-power ITFS signal booster station may operate only on one or more ITFS channels that are licensed to the licensee of the ITFS booster station, but may be operated by a third party with a fully-executed lease or consent agreement with the ITFS conditional licensee or licensee. An ITFS licensee or conditional licensee may install and commence operation of a low-power ITFS signal booster station for the purpose of retransmitting the signals of the ITFS station or for originating signals. Such installation and operation shall be subject to the condition that for sixty (60) days after installation and commencement of operation, no objection or petition to deny is filed by an authorized cochannel or adjacent channel ITFS or MDS station with a transmitter within 8.0 kilometers (5 miles) of the coordinates of the low-power ITFS signal booster station. An ITFS licensee or conditional licensee seeking to install a low-power ITFS signal booster station under this rule must, within 48 hours after installation, submit FCC Form 331 to the Commission in Washington, DC, and submit to International Transcription Services, Inc., 1231 20th Street, NW., Washington, DC 20036, both in hard copy, and on a 3.5" computer diskette in ASCII, duplicates of the Form 331 filed with the Commission, and the following (which also shall be submitted to the Commission only upon Commission staff request at any time):

(1) A description of the signal booster technical specifications (including an antenna envelope plot or, if the envelope plot is on file with the Commission, the make and model of the antenna, antenna gain and azimuth), the coordinates of the booster, the height of the center of radiation above mean sea level, the street address of the signal booster, and a description of the booster service area; and

(2) A demonstration that the booster service area is entirely within the protected service area of the station whose channels are being reused, or, in the alternative, that the licensee entitled to any protected service area which is overlapped by the proposed booster service area has consented to such overlap; and

(3) A demonstration that the proposed booster service area can be served by the proposed booster without interference; and

(4) A certification that no Federal Aviation Administration determination of No Hazard to Air Navigation is required under part 17 of this chapter or, if such determination is required, either

(i) A statement of the FCC Antenna Structure Registration Number; or

(ii) If an FCC Antenna Structure Registration Number has not been assigned for the antenna structure, the filer must indicate the date the application by the antenna structure owner to register the antenna structure was filed with the FCC in accordance with part 17 of this chapter; and

(5) A certification that

(i) The maximum power level of the signal booster transmitter does not exceed -9 dBW EIRP (or, when subchannels or superchannels, or 125 kHz channels, are used, the appropriately adjusted value based upon the ratio of 6 MHz to the subchannel or superchannel, or 125 kHz, bandwidth); and

(ii) Where the booster is operating on channel D4, E1, F1, E2, F2, E3, F3, E4, F4 and/or G1, no registered receiver of an ITFS E or F channel station, constructed prior to May 26, 1983, is located within a 1 mile (1.61 km) radius of the coordinates of the booster, or in the alternative, that a consent statement has been obtained from the affected ITFS licensee; and

(iii) The applicant has complied with § 1.1307 of this chapter; and

(iv) Each MDS and/or ITFS station licensee (including the licensees of booster stations and response station hubs) with protected service areas and/or registered receivers within a 8 km (5 mile) radius of the coordinates of the booster has been given notice of its installation; and

(v) The signal booster site is within the protected service area of the ITFS station whose channels are to be reused; and

(vi) The aggregate power flux density of the ITFS station and all associated booster stations and simultaneously operating cochannel response stations licensed to or applied for by the applicant does not exceed -73 dBW/m² (or, when subchannels or 125 kHz channels are used, the appropriately adjusted value based upon the ratio of the channel-to-subchannel or 125 kHz bandwidths) at or beyond the boundary of the protected service area of the main ITFS station whose channels are to be reused, as measured at locations for which there is an unobstructed signal path, unless the consent of affected licensees has been obtained; and

(vii) The antenna structure will extend less than 6.10 meters (20 feet) above the ground or natural formation or less than 6.10 meters (20 feet) above an existing manmade structure (other than an antenna structure); and

(viii) The ITFS conditional licensee or licensee understands and agrees that in the event harmful interference is claimed by the filing of an objection or petition to deny, the conditional licensee or licensee must terminate operation within two (2) hours of notification by the Commission, and must not recommence operation until receipt of written authorization to do so by the Commission.

(f) Commencing upon the filing of an application for a high-power ITFS signal booster station license and until such time as the application is dismissed or denied or, if the application is granted, a letter informing the Commission of completion of construction is submitted, an applicant for any new or modified MDS or ITFS station (including any response station hub, high-power booster station, or I channels station) shall demonstrate compliance with the interference protection requirements set forth in §§21.902(i) of this chapter, 21.938(b)(3) of this chapter or 74.903 with respect to any previously-proposed or authorized booster service area both using the transmission parameters of the high-power ITFS signal booster station (e.g., EIRP, polarization(s) and antenna

height) and the transmission parameters of the ITFS station whose channels are to be reused by the high-power ITFS signal booster station. Upon the submission of a letter informing the Commission of completion of construction of an ITFS booster station applied for pursuant to paragraph (b) of this section, or upon the submission of an ITFS booster station notification pursuant to paragraph (e) of this section, the ITFS station whose channels are being reused by the ITFS signal booster shall no longer be entitled to interference protection pursuant to §§21.902(i) of this chapter, 21.938(b)(3) of this chapter and 74.903 within the booster service area based on the transmission parameters of the ITFS station whose channels are being reused. A booster station shall not be entitled to protection from interference caused by facilities proposed on or prior to the day the application or notification for the booster station is filed. A booster station shall not be required to protect from interference facilities proposed on or after the day the application or notification for the booster station is filed.

(g) Where an application is granted under paragraph (d) of this section, if a facility operated pursuant to that grant causes harmful, unauthorized interference to any cochannel or adjacent channel facility, it must promptly remedy the interference or immediately cease operations of the interfering facility, regardless of whether any petitions to deny or for other relief were filed against the application during the application process. The burden of proving that a high-power ITFS signal booster station is not causing harmful, unauthorized interference lies on the licensee of the alleged interfering facility, following the filing of a documented complaint of interference by an affected party.

(h) In the event any MDS or ITFS receive site suffers interference due to block downconverter overload, the licensee of each signal booster station within five miles of such receive site shall cooperate in good faith to expeditiously identify the source of the interference. Each licensee of a signal booster station contributing to such interference shall bear the joint and

several obligation to promptly remedy all interference resulting from block downconverter overload at any ITFS receive site registered prior to the submission of the application or notification for the signal booster station or at any receive site within an MDS or ITFS protected service area applied for prior to the submission of the application or notification for the signal booster station, regardless of whether the receive site suffering the interference was constructed prior to or after the construction of the signal booster station(s) causing the downconverter overload; provided, however, that the licensee of the registered ITFS receive site or the MDS or ITFS protected service area must cooperate fully and in good faith with efforts by the signal booster station licensee to prevent interference before constructing the signal booster station and/or to remedy interference that may occur. In the event that more than one signal booster station licensee contributes to block downconverter interference at a MDS or ITFS receive site, the licensees of the contributing signal booster stations shall cooperate in good faith to remedy promptly the interference.

[63 FR 65125, Nov. 25, 1998]

EFFECTIVE DATE NOTE: At 63 FR 65125, Nov. 25, 1998, § 74.985 was revised. Paragraphs (a), (b) and (d) through (f) contain information collection and recordkeeping requirements and will not be effective until approved by the Office of Management and Budget.

§ 74.986 Involuntary ITFS station modifications.

(a) Parties specified in paragraph (b) of this section may, subject to Commission approval, involuntarily modify the facilities of an existing ITFS licensee in the following situations:

(1) If the initiating party is prevented from invoking the 0 dB interference protection standard (see § 21.902(f)(2) of this chapter and § 74.903(a)(2) of this part) for projecting its impact on an existing ITFS licensee because of that licensee's pre-May 26, 1983, facilities, the applicant, permittee or licensee may modify the facilities of the pre-existing ITFS station with equipment adequate to perform at that level of interference;

(2) If the initiating party is prevented from operating at a higher transmitter output power or EIRP because such power level will cause harmful interference to an ITFS station and modifying the ITFS station will avoid such harmful interference;

(3) If the initiating party is prevented from installing a signal booster because such installation will cause harmful interference to an ITFS station and modifying the ITFS station will avoid harmful interference;

(4) If an ITFS licensee uses equipment incapable of meeting the aural power standard specified in § 74.935(d) and that equipment becomes a source of harmful adjacent-channel interference, and other equipment would avoid such harmful interference.

(5) If an ITFS licensee uses equipment incapable of meeting the transmitter tolerance standard specified in § 74.961 of this part and that equipment becomes a source of harmful co-channel interference, and other equipment would avoid the harmful interference;

(6) If an ITFS licensee uses equipment incapable of meeting the out-of-band emissions standard specified in § 74.936 of this part and that equipment becomes a source of harmful adjacent-channel interference, and other equipment would avoid the harmful interference; and

(7) If harmful adjacent-channel interference may be avoided by colocation of an ITFS facility with its own facilities.

(8) There are no response station hubs licensed to or previously-proposed by any of the parties specified in paragraph (b) of this section, in the same system as the existing ITFS licensee of whose facilities involuntary modification is sought; however, in no event shall the Commission approve an involuntary retuning of an existing ITFS licensee's station to other frequencies, except as provided in § 74.902(i) through (k).

(b) Involuntary modification may be sought by an MDS, MMDS or ITFS licensee, conditional licensee, permittee or applicant. Opposed applicants do not have authority to seek involuntary colocation. An opposed application is one that faces a competing application(s) or petition(s) to deny. Applicants will

§ 74.990

47 CFR Ch. I (10–1–99 Edition)

be required to confirm their unopposed status after the period for competing applications and petitions to deny has passed. If an initiating application is opposed, the companion ITFS modification application will be returned. It may be refiled when the initial application is again unopposed.

(c) The application for involuntary modification must be prepared, signed and filed by the initiating party. The applicant must submit FCC Form 330 but need not fill out section II (Legal Qualifications), and the application must include a cover letter clearly indicating that the modification is involuntary and identifying the parties involved. A copy of the application must be served on the affected ITFS party on or before the day of filing. The ITFS party to be modified will have a 60-day period in which to oppose the modification application; the opposition should state objections to the modification with specificity, including engineering and other challenges. If the modification includes colocation, the opponent should address the desirability of the present site compared to the proposed new site.

(d) The party initiating the modification will be responsible for all costs connected with the modification, including purchasing, testing and installing new equipment, labor costs, reconfiguration of existing equipment, administrative costs, legal and engineering expenses necessary to prepare and file the modification application, and other reasonable documented costs. The initiating party must secure a bond or establish an escrow account to cover reasonable incremental increase in ongoing expenses that will fall upon the modified ITFS entity and to cover expenses that would inure to the modified ITFS entity in the event the initiating party becomes bankrupt. In establishing a bond or escrow amount, such factors as projected electricity or maintenance expenses, or relocation expenses must be taken into account, as relevant in each case.

(e) The involuntarily modified facilities must be operational before the initiating party will be permitted to begin its new or modified operations. The modification must not disrupt the ITFS licensee's provision of service,

and the ITFS licensee has the right to inspect the construction or installation work.

[56 FR 57820, Nov. 14, 1991, as amended at 63 FR 65127, Nov. 25, 1998]

§ 74.990 Use of available instructional television fixed service frequencies by wireless cable entities.

(a) Notwithstanding the provisions §§ 74.931 and 74.932 of this part, a wireless cable entity may be licensed on instructional television fixed service frequencies in areas where at least eight other instructional television fixed service channels remain available in the community for future ITFS use. Channels will be considered available for future ITFS use if there are no co-channel operators or applicants within 80.5 km (50 miles) of the transmitter site of the proposed wireless cable operation, and if the transmitter site remains available for use at reasonable terms by new ITFS applicants on those channels within three years of commencing operation.

(b) No more than eight instructional television fixed service channels per community may be licensed to wireless cable entities.

(c) To be licensed on instructional television fixed service channels, a wireless cable applicant must hold a conditional license, license or a lease, or must have filed an unopposed application for at least four MDS channels to be used in conjunction with the facilities proposed on the ITFS frequencies. An unopposed application is one that faces no competing application(s) or petition(s) to deny. Applicants will be required to confirm their unopposed status after the period for filing competing applications and petitions to deny has passed. If an MDS or MMDS application is opposed, the companion ITFS application will be returned.

(d) To be licensed on instructional television fixed service channels, a wireless cable applicant must show that there are no multipoint distribution service or multichannel multipoint distribution service channels available for application, purchase or lease that could be used in lieu of the instructional television fixed service frequencies applied for. A wireless

cable entity may apply for instructional television fixed service frequencies at the same time it applies for the related MDS or MMDS frequencies, but if that MDS or MMDS application is opposed by a timely filed mutually exclusive application or petition to deny, the application for ITFS facilities will be returned.

(e) If an instructional television fixed service application and a wireless cable application for available instructional television fixed service facilities are mutually exclusive, as defined at § 21.31(a) of this chapter, the instructional television fixed service application will be granted if the applicant is qualified. An instructional television fixed service applicant may not file an application mutually exclusive with a wireless cable application if there are other instructional television fixed service channels available for the proposed instructional television fixed service facility.

(f) The interference protection provided wireless cable applicants and licensees of instructional television fixed service facilities will be that described in § 21.902 of this chapter.

[56 FR 57820, Nov. 14, 1991, as amended at 58 FR 44951, Aug. 25, 1993]

§ 74.991 Wireless cable application procedures.

(a) A wireless cable applicant for available instructional television fixed service channels must file sections I and V of FCC Form 330, with a complete FCC Form 494 appended. A wireless cable applicant must include with its application a cover letter clearly indicating that the application is for a wireless cable entity to operate on ITFS channels. A wireless cable application for available instructional television fixed service channels will be subject to § 21.914 of this chapter with respect to other wireless cable applicants, and to the ITFS window filing period with respect to instructional television fixed service applications. All lists of accepted applications for ITFS frequencies, regardless of the nature of the applicant, will be published as ITFS public notices.

(b) Within 30 days of filing its application, a wireless cable applicant for available instructional television fixed

service channels must give local public notice of the filing of its application in a newspaper. The local public notice must be made in a daily newspaper of general circulation published in the community in which the proposed station will be located at least twice a week for two consecutive weeks in a three week period. If there is no such daily newspaper, notice must be made in a weekly newspaper of general circulation published in the community once a week for three consecutive weeks in a four week period. If there is no daily or weekly newspaper published in the community, notice must be made in the daily newspaper, wherever published, that has the greatest general circulation in the community twice a week for two consecutive weeks within a three week period.

(c) The public notice required by paragraph (b) of this section shall contain, where applicable, the following information:

(1) The name of the applicant if the applicant is an individual, the names of all partners if the applicant is a partnership, or the names of all officers and directors and of those persons holding 10 percent or more of the capital stock or other ownership interest if the applicant is a corporation or an unincorporated association;

(2) The purpose for which the application will be filed (*i.e.*, for a construction permit for a wireless cable system);

(3) A statement that the channels applied for are ITFS channels normally reserved for educational use, and a list of the specific frequencies or channels on which the proposed station will operate;

(4) The date the application was tendered for filing with the FCC;

(5) The facilities sought, including type and class of station, power, location of studios, transmitter site and antenna height; and

(6) A statement that a copy of the application and related material are on file for public inspection at a stated address in the community in which the station is located or is proposed to be located.

[56 FR 57821, Nov. 14, 1991, as amended at 60 FR 20247, Apr. 25, 1995]

§ 74.992 Access to channels licensed to wireless cable entities.

(a) An educational institution or entity that would be eligible for ITFS channels that are licensed to a wireless cable entity may be entitled to access to those channels. Requests for access may be made by application to the Commission on FCC Form 330 with a copy simultaneously served on the wireless cable licensee. An applicant for access must fill out sections I, II, III and IV of the ITFS application Form 330. Section I, question 1 should be answered by spelling out, "For access to existing facilities." Section I, question 2b should include the name of the wireless cable licensee or applicant. A cover letter must clearly indicate that the application is for ITFS access to a wireless cable entity's facilities on ITFS channels.

(b) An ITFS entity determined by the Commission to have right of access to wireless cable licensed facilities may have access to a maximum of 40 hours per channel per week. The ITFS entity has the right to designate 20 of those hours as follows:

(1) 3 hours of the ITFS entity's choice each day, Monday through Friday, between 8 a.m. and 10 p.m., excluding weekends, holidays and school vacations; and

(2) The remaining five hours any time of the ITFS entity's choice between 8 a.m. and 10 p.m., Monday through Saturday.

(c) No time-of-day and day-of-week obligations will be imposed on either party with respect to the other 20 hours of access time.

(d) The ITFS user must provide the wireless cable licensee with its planned scheduled of use four months in advance. No minimum amount of programming will be required of an ITFS operator seeking access to one channel; for access to a second channel, the ITFS user must use at least 20 hours per week on the first channel from 8 a.m. to 10 p.m., Monday through Saturday; for access to a third channel, the ITFS entity must use at least 20 hours per week on the first channel and on the second channel during the hours prescribed above, and so on. Only one educational institution or entity per wireless cable licensed channel will be

entitled to access from the wireless cable entity. Access will not be granted to a single entity for more than four channels, unless it can satisfy the waiver provisions of § 74.902(d) of this part.

(e) When an ITFS entity is granted access to an ITFS channel of a wireless cable licensee, the wireless cable licensee will be required to pay half of the cost of five standard receive sites on that channel. The wireless cable entity may, at its option, pay the costs of an application and facility construction for such ITFS entity on other available ITFS channels, including half of the cost of five receive sites per channel.

(f) An instructional television fixed service entity granted access to instructional television fixed service channels licensed to a wireless cable entity will have the interference protection afforded ITFS licensees (see § 74.903 of this part).

(g) After three years of operation, a wireless cable entity licensed to use ITFS channels will not be required to grant new or additional access to such ITFS channels, or provide any alternative facilities to any ITFS entity seeking access to its facilities, if there are suitable ITFS frequencies available for the ITFS entity to build its own system.

(h) The parties may mutually agree to modify any requirements or obligations imposed by these provisions, except for the requirement that an educational entity use at least 20 hours per week on a channel of a wireless cable licensee before requesting access to an additional channel.

[56 FR 57821, Nov. 14, 1991]

§ 74.996 Applicability of cable EEO requirements to ITFS facilities.

Notwithstanding other EEO provisions within §§ 1.815 and 21.307 of this chapter, an entity that uses an owned or leased MDS, MMDS and/or ITFS facility to provide more than one channel of video programming directly to the public must comply with the equal employment opportunity requirements set forth in part 76, subpart E of this chapter, if such entity exercises control (as defined in part 76, subpart E of

this chapter) over the video programming it distributes. With respect to the use of an ITFS facility, the EEO provisions set forth in part 76, subpart E do not apply to an accredited institution or government organization engaged in the formal education of enrolled students or to a nonprofit organization whose purposes are educational and include providing educational and instructional television material to such accredited institutions and governmental organizations.

[58 FR 42250, Aug. 9, 1993]

Subparts J—K [Reserved]

Subpart L—FM Broadcast Translator Stations and FM Broadcast Booster Stations

SOURCE: 35 FR 15388, Oct. 2, 1970, unless otherwise noted.

§ 74.1201 Definitions.

(a) *FM translator*. A station in the broadcasting service operated for the purpose of retransmitting the signals of an FM radio broadcast station or another FM broadcast translator station without significantly altering any characteristics of the incoming signal other than its frequency and amplitude, in order to provide FM broadcast service to the general public.

(b) *Commercial FM translator*. An FM broadcast translator station which rebroadcasts the signals of a commercial FM radio broadcast station.

(c) *Noncommercial FM translator*. An FM broadcast translator station which rebroadcasts the signals of a noncommercial educational FM radio broadcast station.

(d) *Primary station*. The FM radio broadcast station radiating the signals which are retransmitted by an FM broadcast translator station or an FM broadcast booster station.

(e) *FM radio broadcast station*. When used in this Subpart L, the term FM broadcast station or FM radio broadcast station refers to commercial and noncommercial educational FM radio broadcast stations as defined in § 2.1 of this chapter, unless the context indicates otherwise.

(f) *FM broadcast booster station*. A station in the broadcasting service operated for the sole purpose of retransmitting the signals of an FM radio broadcast station, by amplifying and reradiating such signals, without significantly altering any characteristic of the incoming signal other than its amplitude.

(g) *Translator coverage contour*. The coverage contour for an FM translator providing “fill-in” service is congruent with its parent station: For a fill-in translator for a commercial Class B station it is the predicted 0.5 mV/m field strength contour; for a fill-in translator for a commercial Class B1 station it is the predicted 0.7 mV/m field strength contour; and for a fill-in translator for all other classes of commercial stations as well as all noncommercial educational stations it is the predicted 1 mV/m field strength contour. A fill-in FM translator's coverage contour must be contained within the primary station's coverage contour. The protected contour for an FM translator station is its predicted 1 mV/m contour.

(h) *Fill-in area*. The area where the coverage contour of an FM translator or booster station is within the protected contour of the associated primary station (*i.e.*, predicted 0.5 mV/m contour for commercial Class B stations, predicted 0.7 mV/m contour for commercial Class B1 stations, and predicted 1 mV/m contour for all other classes of stations).

(i) *Other area*. The area where the coverage contour of an FM translator station extends beyond the protected contour of the primary station (*i.e.*, predicted 0.5 mV/m contour for commercial Class B stations, predicted 0.7 mV/m contour for commercial Class B1 stations, and predicted 1 mV/m contour for all other classes of stations).

[35 FR 15388, Oct. 2, 1970, as amended at 45 FR 37842, June 5, 1980; 52 FR 31405, Aug. 20, 1987; 55 FR 50693, Dec. 10, 1990]

§ 74.1202 Frequency assignment.

(a) An applicant for a new FM broadcast translator station or for changes in the facilities of an authorized translator station shall endeavor to select a channel on which its operation is not

likely to cause interference to the reception of other stations. The application must be specific with regard to the frequency requested. Only one output channel will be assigned to each translator station.

(b) Subject to compliance with all the requirements of this subpart, FM broadcast translators may be authorized to operate on the following FM channels, regardless of whether they are assigned for local use in the FM Table of Allotments (§73.202(b) of this chapter):

(1) *Commercial FM translators:* Channels 221–300 as identified in §73.201 of this chapter.

(2) *Noncommercial FM translators:* Channels 201–300 as identified in §73.201 of this chapter. Use of reserved channels 201–220 is subject to the restrictions specified in §73.501 of this chapter.

(3) In Alaska, FM translators operating on Channels 201–260 (88.1–99.9 MHz) shall not cause harmful interference to and must accept interference from non-Government fixed operations authorized prior to January 1, 1982.

(c) An FM broadcast booster station will be assigned the channel assigned to its primary station.

[35 FR 15388, Oct. 2, 1970, as amended at 39 FR 12990, Apr. 10, 1974; 47 FR 30068, July 12, 1982; 52 FR 8260, Mar. 17, 1987; 55 FR 50693, Dec. 10, 1990]

§ 74.1203 Interference.

(a) An authorized FM translator or booster station will not be permitted to continue to operate if it causes any actual interference to:

(1) The transmission of any authorized broadcast station; or

(2) The reception of the input signal of any TV translator, TV booster, FM translator or FM booster station; or

(3) The direct reception by the public of the off-the-air signals of any authorized broadcast station including TV Channel 6 stations, Class D (secondary) noncommercial educational FM stations, and previously authorized and operating FM translators and FM booster stations. Interference will be considered to occur whenever reception of a regularly used signal is impaired by the signals radiated by the FM

translator or booster station, regardless of the quality of such reception, the strength of the signal so used, or the channel on which the protected signal is transmitted.

(b) If interference cannot be properly eliminated by the application of suitable techniques, operation of the offending FM translator or booster station shall be suspended and shall not be resumed until the interference has been eliminated. Short test transmissions may be made during the period of suspended operation to check the efficacy of remedial measures. If a complainant refuses to permit the FM translator or booster licensee to apply remedial techniques which demonstrably will eliminate the interference without impairment to the original reception, the licensee of the FM translator or booster station is absolved of further responsibility for that complaint.

(c) An FM booster station will be exempted from the provisions of paragraphs (a) and (b) of this section to the extent that it may cause limited interference to its primary station's signal, *provided* it does not disrupt the existing service of its primary station or cause such interference within the boundaries of the principal community of its primary station.

(d) A fill-in FM translator operating on the first, second or third adjacent channel to its primary station's channel will be exempt from the provisions of paragraphs (a) and (b) of this section to the extent that it may cause limited interference to its primary station's signal, *provided* it does not disrupt the existing service of its primary station or cause such interference within the boundaries of the principal community of its primary station.

(e) It shall be the responsibility of the licensee of an FM translator or FM booster station to correct any condition of interference which results from the radiation of radio frequency energy by its equipment on any frequency outside the assigned channel. Upon notice by the Commission to the station licensee that such interference is being caused, the operation of the FM translator or FM booster station shall be suspended within three minutes and

shall not be resumed until the interference has been eliminated or it can be demonstrated that the interference is not due to spurious emissions by the FM translator or FM booster station; *provided, however*, that short test transmissions may be made during the period of suspended operation to check the efficacy of remedial measures.

[55 FR 50693, Dec. 10, 1990, as amended at 60 FR 55484, Nov. 1, 1995]

§ 74.1204 Protection of FM broadcast stations and FM translators.

(a) An application for an FM translator station will not be accepted for filing if the proposed operation would involve overlap of predicted field strength contours with any other authorized station, including commercial and noncommercial educational FM broadcast stations, FM translators and Class D (secondary) noncommercial educational FM stations, as set forth below:

(1) Commercial Class B FM Stations (Protected Contour: 0.5 mV/m)

Frequency separation	Interference contour of proposed translator station	Protected contour of commercial Class B station
Co-channel.	0.05 mV/m (34 dBu)	0.5 mV/m (54 dBu).
200 kHz	0.25 mV/m (48 dBu)	0.5 mV/m (54 dBu).
400 kHz	5.00 mV/m (74 dBu)	0.5 mV/m (54 dBu).
600 kHz	50.0 mV/m (94 dBu)	0.5 mV/m (54 dBu).

(2) Commercial Class B1 FM Stations (Protected Contour: 0.7 mV/m)

Frequency separation	Interference contour of proposed translator station	Protected contour of commercial Class B1 station
Co-channel.	0.07 mV/m (37 dBu)	0.7 mV/m (57 dBu).
200 kHz	0.35 mV/m (51 dBu)	0.7 mV/m (57 dBu).
400 kHz	7.00 mV/m (77 dBu)	0.7 mV/m (57 dBu).
600 kHz	70.0 mV/m (97 dBu)	0.7 mV/m (57 dBu).

(3) All Other Classes of FM Stations (Protected Contour: 1 mV/m)

Frequency separation	Interference contour of proposed translator station	Protected contour of any other station
Co-channel.	0.1 mV/m (40 dBu)	1 mV/m (60 dBu).
200 kHz	0.5 mV/m (54 dBu)	1 mV/m (60 dBu).
400 kHz	10 mV/m (80 dBu)	1 mV/m (60 dBu).

Frequency separation	Interference contour of proposed translator station	Protected contour of any other station
600 kHz	100 mV/m (100 dBu)	1 mV/m (60 dBu).

(b) The following standards must be used to compute the distances to the pertinent contours:

(1) The distances to the protected contours are computed using Figure 1 of § 73.333 [F(50,50) curves] of this chapter.

(2) The distances to the interference contours are computed using Figure 1a of § 73.333 [F(50,10) curves] of this chapter. In the event that the distance to the contour is below 16 kilometers (approximately 10 miles), and therefore not covered by Figure 1a, curves in Figure 1 must be used.

(3) The effective radiated power (ERP) to be used is the maximum ERP of the main radiated lobe in the pertinent azimuthal direction. If the transmitting antenna is not horizontally polarized only, either the vertical component or the horizontal component of the ERP should be used, whichever is greater in the pertinent azimuthal direction.

(4) The antenna height to be used is the height of the radiation center above the average terrain along each pertinent radial, determined in accordance with § 73.313(d) of this chapter.

(c) An application for a change (other than a change in channel) in the authorized facilities of an FM translator station will be accepted even though overlap of field strength contours would occur with another station in an area where such overlap does not already exist, if:

(1) The total area of overlap with that station would not be increased;

(2) The area of overlap with any other station would not increase;

(3) The area of overlap does not move significantly closer to the station receiving the overlap; and,

(4) No area of overlap would be created with any station with which the overlap does not now exist.

(d) The provisions of this section concerning prohibited overlap will not apply where the area of such overlap lies entirely over water. In addition, an application otherwise precluded by this section will be accepted if it can be

demonstrated that no actual interference will occur due to intervening terrain, lack of population or such other factors as may be applicable.

(e) The provisions of this section will not apply to overlap between a proposed fill-in FM translator station and its primary station operating on a first, second or third adjacent channel, *provided* That such operation may not result in interference to the primary station within its principal community.

(f) An application for an FM translator station will not be accepted for filing even though the proposed operation would not involve overlap of field strength contours with any other station, as set forth in paragraph (a) of this section, if the predicted 1 mV/m field strength contour of the FM translator station will overlap a populated area already receiving a regularly used, off-the-air signal of any authorized co-channel, first, second or third adjacent channel broadcast station, including Class D (secondary) noncommercial educational FM stations and grant of the authorization will result in interference to the reception of such signal.

(g) An application for an FM translator or an FM booster station that is 53 or 54 channels removed from an FM radio broadcast station will not be accepted for filing if it fails to meet the required separation distances set out in § 73.207 of this chapter. For purposes of determining compliance with § 73.207 of this chapter, translator stations will be treated as Class A stations and booster stations will be treated the same as their FM radio broadcast station equivalents. FM radio broadcast station equivalents will be determined in accordance with §§ 73.210 and 73.211 of this chapter, based on the booster station's ERP and HAAT. Provided, however, that FM translator stations and booster stations operating with less than 100 watts ERP will be treated as class D stations and will not be subject to intermediate frequency separation requirements.

(h) An application for an FM translator station will not be accepted for filing if it specifies a location within 320 kilometers (approximately 199 miles) of either the Canadian or Mexi-

can borders and it does not comply with § 74.1235(d) of this part.

(i) FM booster stations shall be subject to the requirement that the signal of any first adjacent channel station must exceed the signal of the booster station by 6 dB at all points within the protected contour of any first adjacent channel station, except that in the case of FM stations on adjacent channels at spacings that do not meet the minimum distance separations specified in § 73.207 of this chapter, the signal of any first adjacent channel station must exceed the signal of the booster by 6 dB at any point within the predicted interference free contour of the adjacent channel station.

(j) FM translator stations authorized prior to June 1, 1991 with facilities that do not comply with the predicted interference protection provisions of this section, may continue to operate, provided that operation is in conformance with § 74.1203 regarding actual interference. Applications for major changes in FM translator stations must specify facilities that comply with provisions of this section.

[55 FR 50694, Dec. 10, 1990, as amended at 56 FR 56170, Nov. 1, 1991; 58 FR 42025, Aug. 6, 1993]

§ 74.1205 Protection of channel 6 TV broadcast stations.

The provisions of this section apply to all applications for construction permits for new or modified facilities for a noncommercial educational FM translator station on Channels 201–220, unless the application is accompanied by a written agreement between the NCE-FM translator applicant and each affected TV Channel 6 broadcast station licensee or permittee concurring with the proposed NCE-FM translator facility.

(a) An application for a construction permit for new or modified facilities for a noncommercial educational FM translator station operating on Channels 201–220 must include a showing that demonstrates compliance with paragraph (b), (c) or (d) of this section if it is within the following distances of a TV broadcast station which is authorized to operate on Channel 6.

Federal Communications Commission

§ 74.1231

FM Channel	Distance (kilometers)
201	148
202	146
203	143
204	141
205	140
206	137
207	135
208	135
209	135
210	135
211	135
212	135
213	135
214	134
215	134
216	133
217	133
218	132
219	132
220	131

(b) *Collocated stations.* An application for a noncommercial educational FM translator station operating on Channels 201-220 and located at 0.4 kilometer (approximately 0.25 mile) or less from a TV Channel 6 station will be accepted if it includes a certification that the applicant has coordinated its antenna with the affected TV station.

(c) *Contour overlap.* Except as provided in paragraph (b) of this section, an application for a noncommercial educational FM translator station operating on Channels 201-220 will not be accepted if the proposed operation would involve overlap of its interference field strength contour with any TV Channel 6 station's Grade B contour, as set forth below.

(1) The distances to the TV Channel 6 station Grade B (47 dBu) field strength contour will be predicted according to the procedures specified in § 73.684 of this chapter, using the F(50,50) curves in § 73.699, Figure 9 of this chapter.

(2) The distances to the applicable noncommercial educational FM translator interference contour will be predicted according to the procedures specified in § 74.1204(b) of this part.

(3) The applicable noncommercial educational FM translator interference contours are as follows:

FM channel	Interference Contour F(50,10) curves (dBu)
201	54
202	56
203	59

FM channel	Interference Contour F(50,10) curves (dBu)
204	62
205	64
206	69
207	73
208	73
209	73
210	73
211	73
212	74
213	75
214	77
215	78
216	80
217	81
218	85
219	88
220	90

(d) FM translator stations authorized prior to June 1, 1991 with facilities that do not comply with the predicted interference protection provisions of this section, may continue to operate, provided that operation is in conformance with § 74.1203 regarding actual interference. Applications for major changes in FM translator stations must specify facilities that comply with the provisions of this section.

[55 FR 50695, Dec. 10, 1990, as amended at 58 FR 42025, Aug. 6, 1993]

§ 74.1231 Purpose and permissible service.

(a) FM translators provide a means whereby the signals of FM broadcast stations may be retransmitted to areas in which direct reception of such FM broadcast stations is unsatisfactory due to distance or intervening terrain barriers.

(b) An FM translator may be used for the purpose of retransmitting the signals of a primary FM radio broadcast station or another translator station the signal of which is received directly through space, converted, and suitably amplified. However, an FM translator providing fill-in service may use any terrestrial facilities to receive the signal that is being rebroadcast. An FM booster station or a noncommercial educational FM translator station that is operating on a reserved channel (Channels 201-220) and is owned and operated by the licensee of the primary noncommercial educational station it

rebroadcasts may use alternative signal delivery means, including, but not limited to, satellite and terrestrial microwave facilities. *Provided*, however, that an applicant for a non-commercial educational translator operating on a reserved channel (Channel 201–220) and owned and operated by the licensee of the primary noncommercial educational FM station it rebroadcasts complies with either paragraph (b)(1) or (b)(2) of this section:

(1) The applicant demonstrates that:

(i) The transmitter site of the proposed FM translator station is within 80 kilometers of the predicted 1 mV/m contour of the primary station to be rebroadcast; or,

(ii) The transmitter site of the proposed FM translator station is more than 160 kilometers from the transmitter site of any authorized full service noncommercial educational FM station; or,

(iii) The application is mutually exclusive with an application containing the showing as required by § 74.1231(b)(2) (i) or (ii) of this section; or,

(iv) The application is filed after October 1, 1992.

(2) If the transmitter site of the proposed FM translator station is more than 80 kilometers from the predicted 1 mV/m contour of the primary station to be rebroadcast or is within 160 kilometers of the transmitter site of any authorized full service noncommercial educational FM station, the applicant must show that:

(i) An alternative frequency can be used at the same site as the proposed FM translator's transmitter location and can provide signal coverage to the same area encompassed by the applicant's proposed 1 mV/m contour; or,

(ii) An alternative frequency can be used at a different site and can provide signal coverage to the same area encompassed by the applicant's proposed 1 mV/m contour.

NOTE: For paragraphs 74.1231(b) and 74.1231(h) of this section, auxiliary intercity relay station frequencies may be used to deliver signals to FM translator and booster stations on a secondary basis only. Such use shall not interfere with or otherwise preclude use of these frequencies for transmitting aural programming between the studio and transmitter location of a broadcast sta-

tion, or between broadcast stations, as provided in paragraphs 74.531 (a) and (b) of this part. Prior to filing an application for an auxiliary intercity relay microwave frequency, the applicant shall notify the local frequency coordination committee, or, in the absence of a local frequency coordination committee, any licensees assigned the use of the proposed operating frequency in the intended location or area of operation.

(c) The transmissions of each FM translator or booster station shall be intended only for direct reception by the general public. An FM translator or booster shall not be operated solely for the purpose of relaying signals to one or more fixed received points for retransmission, distribution, or further relaying in order to establish a point-to-point FM radio relay system.

(d) The technical characteristics of the retransmitted signals shall not be deliberately altered so as to hinder reception on conventional FM broadcast receivers.

(e) An FM translator shall not deliberately retransmit the signals of any station other than the station it is authorized to retransmit. Precautions shall be taken to avoid unintentional retransmission of such other signals.

(f) A locally generated radio frequency signal similar to that of an FM broadcast station and modulated with aural information may be connected to the input terminals of an FM translator for the purpose of transmitting voice announcements. The radio frequency signals shall be on the same channel as the normally used off-the-air signal being rebroadcast. Connection of the locally generated signals shall be made by any automatic means when transmitting originations concerning financial support. The connections for emergency transmissions may be made manually. The apparatus used to generate the local signal that is used to modulate the FM translator must be capable of producing an aural signal which will provide acceptable reception on FM receivers designed for the transmission standards employed by FM broadcast stations.

(g) The aural material transmitted as permitted in paragraph (f) of this section shall be limited to emergency warnings of imminent danger and to seeking or acknowledging financial

support deemed necessary to the continued operation of the translator. Originations concerning financial support are limited to a total of 30 seconds an hour. Within this limitation the length of any particular announcement will be left to the discretion of the translator station licensee. Solicitations of contributions shall be limited to the defrayal of the costs of installation, operation and maintenance of the translator or acknowledgements of financial support for those purposes. Such acknowledgements may include identification of the contributors, the size or nature of the contributions and advertising messages of contributors. Emergency transmissions shall be no longer or more frequent than necessary to protect life and property.

(h) FM broadcast booster stations provide a means whereby the licensee of an FM broadcast station may provide service to areas in any region within the primary station's predicted, authorized service contours. An FM broadcast booster station is authorized to retransmit only the signals of its primary station which have been received directly through space and suitably amplified, or received by alternative signal delivery means including, but not limited to, satellite and terrestrial microwave facilities. The FM booster station shall not retransmit the signals of any other station nor make independent transmissions, except that locally generated signals may be used to excite the booster apparatus for the purpose of conducting tests and measurements essential to the proper installation and maintenance of the apparatus.

NOTE: In the case of an FM broadcast station authorized with facilities in excess of those specified by § 73.211 of this chapter, an FM booster station will only be authorized within the protected contour of the class of station being rebroadcast as predicted on the basis of the maximum powers and heights set forth in that section for the applicable class of FM broadcast station concerned.

[35 FR 15388, Oct. 2, 1970, as amended at 45 FR 37842, June 5, 1980; 52 FR 31406, Aug. 20, 1987; 53 FR 14803, Apr. 26, 1988; 54 FR 35342, Aug. 25, 1989; 55 FR 50695, Dec. 10, 1990; 57 FR 41111, Sept. 9, 1992; 58 FR 42026, Aug. 6, 1993; 63 FR 33879, June 22, 1998]

§ 74.1232 Eligibility and licensing requirements.

(a) Subject to the restrictions set forth in paragraph (d) of this section, a license for an FM broadcast translator station may be issued to any qualified individual, organized group of individuals, broadcast station licensee, or local civil governmental body, upon an appropriate showing that plans for financing the installation and operation of the translator are sufficiently sound to assure prompt construction of the translator and dependable service.

(b) More than one FM translator may be licensed to the same applicant, whether or not such translators serve substantially the same area, upon an appropriate showing of technical need for such additional stations. FM translators are not counted as FM stations for the purpose of § 73.3555 of this chapter concerning multiple ownership.

NOTE: As used in this section need refers to the quality of the signal received and not to the programming content, format, or transmission needs of an area.

(c) Only one input and one output channel will be assigned to each FM translator. Additional FM translators may be authorized to provide additional reception. A separate application is required for each FM translator and each application shall be complete in all respects.

(d) An authorization for an FM translator whose coverage contour extends beyond the protected contour of the commercial primary station will not be granted to the licensee or permittee of a commercial FM radio broadcast station. Similarly, such authorization will not be granted to any person or entity having any interest whatsoever, or any connection with a primary FM station. Interested and connected parties extend to group owners, corporate parents, shareholders, officers, directors, employees, general and limited partners, family members and business associates. For the purposes of this paragraph, the protected contour of the primary station shall be defined as follows: the predicted 0.5mV/m contour for commercial Class B stations, the predicted 0.7 mV/m contour for commercial Class B1 stations and the predicted 1 mV/m field strength contour

for all other FM radio broadcast stations. The contours shall be as predicted in accordance with § 73.313(a) through (d) of this chapter. In the case of an FM radio broadcast station authorized with facilities in excess of those specified by § 73.211 of this chapter, a co-owned commercial FM translator will only be authorized within the protected contour of the class of station being rebroadcast, as predicted on the basis of the maximum powers and heights set forth in that section for the applicable class of FM broadcast station concerned. An FM translator station in operation prior to March 1, 1991, which is owned by a commercial FM (primary) station and whose coverage contour extends beyond the protected contour of the primary station, may continue to be owned by such primary station until March 1, 1994. Thereafter, any such FM translator station must be owned by independent parties. An FM translator station in operation prior to June 1, 1991, which is owned by a commercial FM radio broadcast station and whose coverage contour extends beyond the protected contour of the primary station, may continue to be owned by a commercial FM radio broadcast station until June 1, 1994. Thereafter, any such FM translator station must be owned by independent parties.

(e) An FM translator station whose coverage contour goes beyond the protected contour of the commercial primary station shall not receive any support, before or after construction, either directly or indirectly, from the commercial primary FM radio broadcast station. Such support also may not be received from any person or entity having any interest whatsoever, or any connection with the primary FM station. Interested and connected parties extend to group owners, corporate parents, shareholders, officers, directors, employees, general and limited partners, family members and business associates. Such an FM translator station may, however, receive technical assistance from the primary station to the extent of installing or repairing equipment or making adjustments to equipment to assure compliance with the terms of the translator station's construction permit and license. FM

translator stations in operation prior to March 1, 1991 may continue to receive contributions or support from the commercial primary station for the operation and maintenance of the translator station until March 1, 1994. Thereafter, any such FM translator station shall be subject to the prohibitions on support contained in this section. Such an FM translator station may, however, receive technical assistance from the primary station to the extent of installing or repairing equipment or making adjustments to equipment to assure compliance with the terms of the translator station's construction permit and license. FM translator stations in operation prior to June 1, 1991 may continue to receive contributions or support from a commercial FM radio broadcast station for the operation and maintenance of the translator station until June 1, 1994. Thereafter, any such FM translator station shall be subject to the prohibitions on support contained in this section.

NOTE: "Technical assistance" refers to actual services provided by the primary station's technical staff or compensation for the time and services provided by independent engineering personnel. Conversely, such support must not include the supply of equipment or direct funding for the translator's discretionary use. "Technical assistance" must occur after the issuance of the translator's construction permit or license in order to meet expenses incurred by installing, repairing, or making adjustments to equipment.

(f) An FM broadcast booster station will be authorized only to the licensee or permittee of the FM radio broadcast station whose signals the booster station will retransmit, to serve areas within the protected contour of the primary station, subject to Note, § 74.1231(h) of this part.

(g) No numerical limit is placed upon the number of FM booster stations which may be licensed to a single licensee. A separate application is required for each FM booster station. FM broadcast booster stations are not counted as FM broadcast stations for the purposes of § 73.5555 of this chapter concerning multiple ownership.

(h) Any authorization for an FM translator station issued to an applicant described in paragraphs (d) and (e)

of this section will be issued subject to the condition that it may be terminated at any time, upon not less than sixty (60) days written notice, where the circumstances in the community or area served are so altered as to have prohibited grant of the application had such circumstances existed at the time of its filing.

[35 FR 15388, Oct. 2, 1970, as amended at 43 FR 14660, Apr. 7, 1978; 52 FR 10571, Apr. 2, 1987; 52 FR 31406, Aug. 20, 1987; 55 FR 50696, Dec. 10, 1990; 58 FR 42026, Aug. 6, 1993]

§ 74.1233 Processing FM translator and booster station applications.

(a) Applications for FM translator and booster stations are divided into two groups:

(1) In the first group are applications for new stations or for major changes in the facilities of authorized stations. For FM translator stations, a major change is any change in frequency (output channel) except changes to first, second or third adjacent channels, or intermediate frequency channels, and any change in antenna location where the station would not continue to provide 1 mV/m service to some portion of its previously authorized 1 mV/m service area. All other changes will be considered minor. All major changes are subject to the provisions of §§73.3580 and 1.1104 of this chapter pertaining to major changes.

(2) In the second group are applications for licenses and all other changes in the facilities of the authorized station.

(b) Processing booster and reserved band FM translator applications.

(1) Applications for minor modifications for reserved band FM translator stations, as defined in paragraph (a)(2) of this section, may be filed at any time, unless restricted by the FCC, and will be processed on a "first come/first served" basis, with the first acceptable application cutting off the filing rights of subsequent, conflicting applicants. The FCC will periodically release a Public Notice listing those applications accepted for filing. Conflicting applications received on the same day will be treated as simultaneously filed and mutually exclusive. Conflicting applications received after the filing of a first acceptable application will be

grouped, according to filing date, behind the lead application in a queue. The priority rights of the lead applicant, against all other applicants, are determined by the date of filing, but the filing date for subsequent, conflicting applicants only reserves a place in the queue. The rights of an applicant in a queue ripen only upon a final determination that the lead applicant is unacceptable and if the queue member is reached and found acceptable. The queue will remain behind the lead applicant until a construction permit is finally granted, at which time the queue dissolves.

(2) All other applications for booster stations and reserved band FM translator stations will be processed as nearly as possible in the order in which they are filed. Such applications will be placed in the processing line in numerical sequence, and will be drawn by the staff for study, the lowest file number first. In order that those applications which are entitled to be grouped for processing may be fixed prior to the time processing of the earliest filed application is begun, the FCC will periodically release a Public Notice listing reserved band applications that have been accepted for filing and announcing a date (not less than 30 days after publication) on which the listed applications will be considered available and ready for processing and by which all mutually exclusive applications and/or petitions to deny the listed applications must be filed.

(c) In the case of an application for an instrument of authorization, other than a license pursuant to a construction permit, grant will be based on the application, the pleadings filed, and such other matters that may be officially noticed. Before a grant can be made it must be determined that:

(1) There is not pending a mutually exclusive application filed in accordance with paragraph (b) of this section.

(2) The applicant is legally, technically, financially and otherwise qualified;

(3) The applicant is not in violation of any provisions of law, the FCC rules, or established policies of the FCC; and

(4) A grant of the application would otherwise serve the public interest, convenience and necessity.

(d) Processing non-reserved band FM translator applications.

(1) Applications for minor modifications for non-reserved band FM translator stations, as defined in paragraph (a)(2) of this section, may be filed at any time, unless restricted by the FCC, and will be processed on a “first come/first served” basis, with the first acceptable application cutting off the filing rights of subsequent, conflicting applicants. The FCC will periodically release a Public Notice listing those applications accepted for filing. Applications received on the same day will be treated as simultaneously filed and, if they are found to be mutually exclusive, must be resolved through settlement or technical amendment. Conflicting applications received after the filing of a first acceptable application will be grouped, according to filing date, behind the lead application in a queue. The priority rights of the lead applicant, against all other applicants, are determined by the date of filing, but the filing date for subsequent, conflicting applicants only reserves a place in the queue. The rights of an applicant in a queue ripen only upon a final determination that the lead applicant is unacceptable and if the queue member is reached and found acceptable. The queue will remain behind the lead applicant until a construction permit is finally granted, at which time the queue dissolves.

(2)(i) The FCC will specify by Public Notice, pursuant to § 73.5002(a), a period for filing non-reserved band FM translator applications for a new station or for major modifications in the facilities of an authorized station. FM translator applications for new facilities or for major modifications will be accepted only during these specified periods. Applications submitted prior to the window opening date identified in the Public Notice will be returned as premature. Applications submitted after the specified deadline will be dismissed with prejudice as untimely.

(ii) Such FM translator applicants will be subject to the provisions of §§ 1.2105 and 73.5002(a) regarding the submission of the short-form application, FCC Form 175, and all appropriate certifications, information and exhibits contained therein. To determine

which FM translator applications are mutually exclusive, FM translator applicants must submit the engineering data contained in FCC Form 349 as a supplement to the short-form application. Such engineering data will not be studied for technical acceptability, but will be protected from subsequently filed applications as of the close of the window filing period. Determinations as to the acceptability or grantability of an applicant’s proposal will not be made prior to an auction.

(iii) FM translator applicants will be subject to the provisions of § 1.2105 regarding the modification and dismissal of their short-form applications.

(iv) Consistent with § 1.2105(a), beginning January 1, 1999, all short-form applications must be filed electronically.

(3) Subsequently, the FCC will release Public Notices:

(i) Identifying the short-form applications received during the appropriate filing period or “window” which are found to be mutually exclusive;

(ii) Establishing a date, time and place for an auction;

(iii) Providing information regarding the methodology of competitive bidding to be used in the upcoming auction, bid submission and payment procedures, upfront payment procedures, upfront payment deadlines, minimum opening bid requirements and applicable reserve prices in accordance with the provisions of § 73.5002;

(iv) Identifying applicants who have submitted timely upfront payments and, thus, are qualified to bid in the auction.

(4) If, during the window filing period, the FCC receives non-mutually exclusive applications for a non-reserved FM translator station, a Public Notice will be released identifying the non-mutually exclusive applicants, who will be required to submit the appropriate long form application within 30 days of the Public Notice and pursuant to the provisions of § 73.5005. These non-mutually exclusive applications will be processed and the FCC will periodically release a Public Notice listing such non-mutually exclusive applications determined to be acceptable for filing and announcing a date by which petitions to deny must be filed in accordance with the provisions of

§§ 73.5006 and 73.3584 of this chapter. If the applicants are duly qualified, and upon examination, the FCC finds that the public interest, convenience and necessity will be served by the granting of the non-mutually exclusive long-form application, the same will be granted.

(5)(i) The auction will be held pursuant to the procedures set forth in § 1.2101. Subsequent to the auction, the FCC will release a Public Notice announcing the close of the auction and identifying the winning bidders. Winning bidders will be subject to the provisions of § 1.2107 regarding down payments and will be required to submit the appropriate down payment within 10 business days of the Public Notice. Pursuant to § 1.2107, a winning bidder that meets its down payment obligations in a timely manner must, within 30 days of the release of the public notice announcing the close of the auction, submit the appropriate long-form application for each construction permit for which it was the winning bidder. Long-form applications filed by winning bidders shall include the exhibits identified in § 73.5005.

(ii) These applications will be processed and the FCC will periodically release a Public Notice listing such applications that have been accepted for filing and announcing a date by which petitions to deny must be filed in accordance with the provisions of § 73.3584 of this chapter. If the applicants are duly qualified, and upon examination, the FCC finds that the public interest, convenience and necessity will be served by the granting of the winning bidder's long-form application, a Public Notice will be issued announcing that the construction permit is ready to be granted. Each winning bidder shall pay the balance of its winning bid in a lump sum within 10 business days after release of the Public Notice, as set forth in § 1.2109(a). Construction permits will be granted by the Commission following the receipt of the full payment.

(iii) All long-form applications will be cut-off as of the date of filing with the FCC and will be protected from subsequently filed long-form translator applications. Applications will be required to protect all previously filed

applications. Winning bidders filing long-form applications may change the technical proposals specified in their previously submitted short-form applications, but such change may not constitute a major change. If the submitted long-form application would constitute a major change from the proposal submitted in the short-form application or the allotment, the long-form application will be returned pursuant to paragraph (d)(2)(i) of this section.

(e) Selection of mutually exclusive reserved band FM translator applications.

(1) Applications for FM translator stations proposing to provide fill-in service (within the primary station's protected contour) of the commonly owned primary station will be given priority over all other applications.

(2) Where applications for FM translator stations are mutually exclusive and do not involve a proposal to provide fill-in service of commonly owned primary stations, the FCC may stipulate different frequencies as necessary for the applicants.

(3) Where there are no available frequencies to substitute for a mutually exclusive application, the FCC will base its decision on the following priorities:

- (i) First-full-time aural services;
- (ii) Second full-time aural services; and
- (iii) Other public interest matters including, but not limited to the number of aural services received in the proposed service area, the need for or lack of public radio service, and other matters such as the relative size of the proposed communities and the growth rate.

(4) Where the procedures in paragraphs (e)(1), (e)(2) and (e)(3) of this section fail to resolve the mutual exclusivity, the applications will be processed on a first-come-first-served basis.

[63 FR 48632, Sept. 11, 1998, as amended at 64 FR 19502, Apr. 21, 1999]

§ 74.1234 Unattended operation.

(a) A station authorized under this subpart may be operated without a designated person in attendance if the following requirements are met:

§ 74.1235

47 CFR Ch. I (10–1–99 Edition)

(1) If the transmitter site cannot be reached promptly at all hours and in all seasons, means shall be provided so that the transmitting apparatus can be turned on and off at will from a point which is readily accessible at all hours and in all seasons.

(2) The transmitter shall also be equipped with suitable automatic circuits which will place it in a nonradiating condition in the absence of a signal on the input channel.

(3) The on-and-off control (if at a location other than the transmitter site) and the transmitting apparatus, shall be adequately protected against tampering by unauthorized persons.

(4) The FCC in Washington, DC, Attention: Audio Services Division, Mass Media Bureau, shall be supplied by letter with the name, address, and telephone number of a person or persons who may be contacted to secure suspension of operation of the translator promptly should such action be deemed necessary by the Commission. Such information shall be kept current by the licensee.

(5) Where the antenna and supporting structure are required to be painted and lighted under the provisions of Part 17 of this chapter, the licensee shall make suitable arrangements for the daily inspection and logging of the obstruction lighting and associated control equipment as required by §§17.47, 17.48, and 17.49 of this chapter.

(b) An application for authority to construct a new station pursuant to this subpart or to make changes in the facilities of such a station, which proposes unattended operation shall include an adequate showing as to the manner of compliance with this section.

[35 FR 15388, Oct. 2, 1970, as amended at 37 FR 18540, Sept. 13, 1972; 38 FR 25992, Sept. 17, 1973; 60 FR 55484, Nov. 1, 1995; 63 FR 33879, June 22, 1998]

§ 74.1235 Power limitations and antenna systems.

(a) An application for an FM translator station filed by the licensee or permittee of the primary station to provide fill-in service within the primary station's coverage area will not be accepted for filing if it specifies an

effective radiated power (ERP) which exceeds 250 watts.

(b) An application for an FM translator station, other than one for fill-in service which is covered in paragraph (a) of this section, will not be accepted for filing if it specifies an effective radiated power (ERP) which exceeds the maximum ERP (MERP) value determined in accordance with this paragraph. The antenna height above average terrain (HAAT) shall be determined in accordance with §73.313(d) of this chapter for each of 12 distinct radials, with each radial spaced 30 degrees apart and with the bearing of the first radial bearing true north. Each radial HAAT value shall be rounded to the nearest meter. For each of the 12 radial directions, the MERP is the value corresponding to the calculated HAAT in the following tables that is appropriate for the location of the translator. For an application specifying a nondirectional transmitting antenna, the specified ERP must not exceed the smallest of the 12 MERP's. For an application specifying a directional transmitting antenna, the ERP in each azimuthal direction must not exceed the MERP for the closest of the 12 radial directions.

(1) For FM translators located east of the Mississippi River or in Zone I-A as described in §73.205(b) of this chapter:

Radial HAAT (meters)	Maximum ERP (MERP in watts)
Less than or equal to 32	250
33 to 39	170
40 to 47	120
48 to 57	80
58 to 68	55
69 to 82	38
83 to 96	27
97 to 115	19
116 to 140	13
Greater than or equal to 141	10

(2) For FM translators located in all other areas:

Radial HAAT (meters)	Maximum ERP (MERP in watts)
Less than or equal to 107	250
108 to 118	205
119 to 130	170
131 to 144	140
145 to 157	115
158 to 173	92
174 to 192	75
193 to 212	62
213 to 235	50
236 to 260	41

Radial HAAT (meters)	Maximum ERP (MERP in watts)
261 to 285	34
286 to 310	28
311 to 345	23
346 to 380	19
381 to 425	15.5
426 to 480	13
481 to 540	11
Greater than or equal to 541	10

(c) The effective radiated power of FM booster stations shall be limited such that the predicted service contour of the booster station, computed in accordance with §73.313 paragraphs (a) through (d) of this chapter, may not extend beyond the corresponding service contour of the primary FM station that the booster rebroadcasts. In no event shall the ERP of the booster station exceed 20% of the maximum allowable ERP for the primary station's class.

(d) Applications for FM translator stations located within 320 km of the Canadian border will not be accepted if they specify more than 50 watts effective radiated power in any direction or have a 34 dBu interference contour, calculated in accordance with §74.1204 of this part, that exceeds 32 km. FM translator stations located within 320 kilometers of the Mexican border must be separated from Mexican allotments and assignments in accordance with §73.207(b)(3) of this chapter and are limited to a transmitter power output of 10 watts or less. For purposes of compliance with that section, FM translators will be considered as Class D FM stations.

(1) Translator stations located within 125 kilometers of the Mexican border may operate with an ERP up to 50 watts (0.050 kW) ERP. A booster station may not produce a 34 dBu interfering contour in excess of 32 km from the transmitter site in the direction of the Mexican border, nor may the 60 dBu service contour of the booster station exceed 8.7 km from the transmitter site in the direction of the Mexican border.

(2) Translator stations located between 125 kilometers and 320 kilometers from the Mexican border may operate with an ERP in excess of 50 watts, up to the maximum permitted ERP of 250 watts per §74.1235(b)(2).

However, in no event shall the location of the 60 dBu contour lie within 116.3 km of the Mexican border.

(3) Applications for translator or booster stations within 320 km of the Canadian border may employ an ERP up to a maximum of 250 watts, as specified in §74.1235(a) and (b). The distance to the 34 dBu interfering contour may not exceed 60 km in any direction.

(e) In no event shall a station authorized under this subpart be operated with a transmitter power output (TPO) in excess of the transmitter certificated rating. A station authorized under this subpart for a TPO that is less than its transmitter certificated rating shall determine its TPO in accordance with §73.267 of this chapter and its TPO shall not be more than 105 percent of the authorized TPO.

(f) Composite antennas and antenna arrays may be used where the total ERP does not exceed the maximum determined in accordance with paragraphs (a), (b) or (c) of this section.

(g) Either horizontal, vertical, circular or elliptical polarization may be used provided that the supplemental vertically polarized ERP required for circular or elliptical polarization does not exceed the ERP otherwise authorized. Either clockwise or counter-clockwise rotation may be used. Separate transmitting antennas are permitted if both horizontal and vertical polarization is to be provided.

(h) All applications must comply with §73.316, paragraphs (d) and (e) of this chapter.

(i) An application that specifies use of a directional antenna must comply with §73.316, paragraphs (c)(1) through (c)(3) of this chapter. Prior to issuance of a license, the applicant must: (1) Certify that the antenna is mounted in accordance with the specific instructions provided by the antenna manufacturer; and (2) certify that the antenna is mounted in the proper orientation. In instances where a directional antenna is proposed for the purpose of providing protection to another facility, a condition may be included in the construction permit requiring that before program tests are authorized, a permittee: (1) Must submit the results of a complete proof-of-performance to

§ 74.1236

establish the horizontal plane radiation patterns for both the horizontally and vertically polarized radiation components; and, (2) must certify that the relative field strength of neither the measured horizontally nor vertically polarized radiation component shall exceed at any azimuth the value indicated on the composite radiation pattern authorized by the construction permit.

NOTE: Existing licensees and permittees that do not furnish data sufficient to calculate the contours in conformance with § 74.1204 will be assigned protected contours having the following radii:

Up to 10 watts—1 mile (1.6 km) from transmitter site.

Up to 100 watts—2 miles (3.2 km) from transmitter site.

Up to 250 watts—4 miles (6.5 km) from transmitter site.

(j) FM translator stations authorized prior to June 1, 1991, with facilities that do not comply with the ERP limitation of paragraph (a) or (b) of this section, as appropriate, may continue to operate, provided that operation is in conformance with § 74.1203 regarding interference. Applications for major changes in FM translator stations must specify facilities that comply with paragraph (a) or (b) of this section, as appropriate.

[55 FR 50697, Dec. 10, 1990, as amended at 56 FR 56170, Nov. 1, 1991; 58 FR 42026, Aug. 6, 1993; 62 FR 51063, Sept. 30, 1997; 63 FR 33879, June 22, 1998; 63 FR 36605, July 7, 1998]

§ 74.1236 Emission and bandwidth.

(a) The license of a station authorized under this subpart allows the transmission of either F3 or other types of frequency modulation (see § 2.201 of this chapter) upon a showing of need, as long as the emission complies with the following:

(1) For transmitter output powers no greater than 10 watts, paragraphs (b), (c), and (d) of this section apply.

(2) For transmitter output powers greater than 10 watts, § 73.317 (a), (b), (c), and (d) apply.

(b) Standard width FM channels will be assigned and the transmitting apparatus shall be operated so as to limit spurious emissions to the lowest practicable value. Any emissions including intermodulation products and radio-

47 CFR Ch. I (10–1–99 Edition)

frequency harmonics which are not essential for the transmission of the desired aural information shall be considered to be spurious emissions.

(c) The power of emissions appearing outside the assigned channel shall be attenuated below the total power of the emission as follows:

Distance of emission from center frequency	Minimum attenuation below unmodulated carrier
120 to 240 kHz	25 dB
Over 240 and up to 600 kHz	35 dB
Over 600 kHz	60 dB

(d) Greater attenuation than that specified in paragraph (c) of this section may be required if interference results outside the assigned channel.

[35 FR 15388, Oct. 2, 1970, as amended at 52 FR 31406, Aug. 20, 1987; 55 FR 50698, Dec. 10, 1990]

§ 74.1237 Antenna location.

(a) An applicant for a new station to be authorized under this subpart or for a change in the facilities of such a station shall endeavor to select a site which will provide a line-of-sight transmission path to the entire area intended to be served and at which there is available a suitable signal from the primary station. The transmitting antenna should be placed above growing vegetation and trees lying in the direction of the area intended to be served, to minimize the possibility of signal absorption by foliage.

(b) Consideration should be given to accessibility of the site at all seasons of the year and to the availability of facilities for the maintenance and operation of the FM translator.

(c) Consideration should be given to the existence of strong radiofrequency fields from other transmitters at the translator site and the possibility that such fields may result in the retransmission of signals originating on frequencies other than that of the primary station.

(d) The transmitting antenna of an FM booster station shall be located within the protected contour of its primary station, subject to Note, § 74.1231 (h). The transmitting antenna of a commonly owned commercial FM translator station shall be located

within the protected contour of its commercial primary FM station.

(e) A translator or booster station to be located on an AM antenna tower or located within 3.2 km of an AM antenna tower must comply with § 73.1692 of this chapter.

[35 FR 15388, Oct. 2, 1970, as amended at 55 FR 50698, Dec. 10, 1990; 58 FR 42026, Aug. 6, 1993; 62 FR 51063, Sept. 30, 1997]

§ 74.1250 Transmitters and associated equipment.

(a) FM translator and booster transmitting apparatus, and exciters employed to provide a locally generated and modulated input signal to translator and booster equipment, used by stations authorized under the provisions of this subpart must be certificated upon the request of any manufacturer of transmitters in accordance with this section and subpart J of part 2 of this chapter. In addition, FM translator and booster stations may use FM broadcast transmitting apparatus verified or approved under the provisions of part 73 of this chapter.

(b) Transmitting antennas, antennas used to receive signals to be rebroadcast, and transmission lines are not subject to the requirement for certification.

(c) The following requirements must be met before translator, booster or exciter equipment will be certificated in accordance with this section:

(1) Radio frequency harmonics and spurious emissions must conform with the specifications of § 74.1236 of this part.

(2) The local oscillator or oscillators, including those in an exciter employed to provide a locally generated and modulated input signal to a translator or booster, when subjected to variations in ambient temperature between minus 30 degrees and plus 50 degrees centigrade, and in primary supply voltage between 85 percent and 115 percent of the rated value, shall be sufficiently stable to maintain the output center frequency within plus or minus 0.005 percent of the operating frequency and to enable conformance with the specifications of § 74.1261 of this part.

(3) The apparatus shall contain automatic circuits to maintain the power output in conformance with § 74.1235(e)

of this part. If provision is included for adjusting the power output, then the normal operating constants shall be specified for operation at both the rated power output and the minimum power output at which the apparatus is designed to operate. The apparatus shall be equipped with suitable meters or meter jacks so that the operating constants can be measured while the apparatus is in operation.

(4) Apparatus rated for transmitter power output of more than 1 watt shall be equipped with automatic circuits to place it in a nonradiating condition when no input signal is being received in conformance with § 74.1263(b) of this part and to transmit the call sign in conformance with § 74.1283(c)(2) of this part.

(5) For exciters, automatic means shall be provided for limiting the level of the audio frequency voltage applied to the modulator to ensure that a frequency swing in excess of 75 kHz will not occur under any condition of the modulation.

[55 FR 50698, Dec. 10, 1990, as amended at 63 FR 36606, July 7, 1998]

§ 74.1251 Technical and equipment modifications.

(a) No change, either mechanical or electrical, except as provided in part 2 of this chapter, may be made in FM translator or booster apparatus which has been certificated by the Commission without prior authority of the Commission.

(b) Formal application on FCC Form 349 is required of all permittees and licensees for any of the following changes:

(1) Replacement of the transmitter as a whole, except replacement with a transmitter of identical power rating which has been certificated by the FCC for use by FM translator or FM booster stations, or any change which could result in the electrical characteristics or performance of the station. Upon the installation or modification of the transmitting equipment for which prior FCC authority is not required under the provisions of this paragraph, the licensee shall place in the station records a certification that the new installation complies in all respects with the technical requirements of this part

§ 74.1261

and the terms of the station authorization.

(2) A change in the transmitting antenna system, including the direction of radiation or directive antenna pattern.

(3) Any change in the overall height of the antenna structure except where notice to the Federal Aviation Administration is specifically not required under § 17.14(b) of this chapter.

(4) Any change in the location of the translator or booster except a move within the same building or upon the same pole or tower.

(5) Any horizontal change in the location of the antenna structure which would (i) be in excess of 152.4 meters (500 feet), or (ii) would require notice to the Federal Aviation Administration pursuant to § 17.7 of the FCC's rules.

(6) Any change in the output frequency of a translator.

(7) Any change of authorized effective radiated power.

(8) Any change in area being served.

(c) Changes in the primary FM station being retransmitted must be submitted to the FCC in writing.

(d) Any application proposing a change in the height of the antenna structure or its location must also include the Antenna Structure Registration Number (FCC Form 854R) of the antenna structure upon which it proposes to locate its antenna. In the event the antenna structure does not have a Registration Number, either the antenna structure owner shall file FCC Form 854 ("Application for Antenna Structure Registration") in accordance with part 17 of this chapter or the applicant shall provide a detailed explanation why registration and clearance are not required.

[35 FR 15388, Oct. 2, 1970, as amended at 45 FR 26068, Apr. 17, 1980; 47 FR 24580, June 7, 1982; 50 FR 3525, Jan. 25, 1985; 50 FR 23710, June 5, 1985; 55 FR 50698, Dec. 10, 1990; 61 FR 4368, Feb. 6, 1996; 63 FR 33879, June 22, 1998; 63 FR 36606, July 7, 1998]

§ 74.1261 Frequency tolerance.

(a) The licensee of an FM translator or booster station with an authorized transmitter power output of 10 watts or less shall maintain the center frequency at the output of the translator

47 CFR Ch. I (10–1–99 Edition)

within 0.01 percent of its assigned frequency.

(b) The licensee of an FM translator or booster station with an authorized transmitter power output greater than 10 watts shall maintain the center frequency at the output of the translator or booster station in compliance with the requirement of § 73.1545(b)(1) of this chapter.

[55 FR 50699, Dec. 10, 1990]

§ 74.1262 Frequency monitors and measurements.

(a) The licensee of a station authorized under this subpart is not required to provide means for measuring the operating frequency of the transmitter. However, only equipment having the required stability will be approved for use by an FM translator or booster.

(b) In the event that a station authorized under this subpart is found to be operating beyond the frequency tolerance prescribed in § 74.1261, the licensee shall promptly suspend operation of the station and shall not resume operation until the station has been restored to its assigned frequency. Adjustment of the frequency determining circuits of an FM translator or booster shall be made by a qualified person in accordance with § 74.1250(g).

§ 74.1263 Time of operation.

(a) The licensee of an FM translator or booster station is not required to adhere to any regular schedule of operation. However, the licensee of an FM translator or booster station is expected to provide a dependable service to the extent that such is within its control and to avoid unwarranted interruptions to the service provided.

(b) An FM translator or booster station rebroadcasting the signal of a primary station shall not be permitted to radiate during extended periods when signals of the primary station are not being retransmitted.

(c) The licensee of an FM translator or booster station must notify the Commission of its intent to discontinue operations for 30 or more consecutive days. Notification must be made within 10 days of the time the station first discontinues operation and Commission approval must be obtained for such discontinued operation

Federal Communications Commission

§ 74.1281

to continue beyond 30 days. The notification shall specify the causes of the discontinued operation and a projected date for the station's return to operation, substantiated by supporting documentation. If the projected date for the station's return to operation cannot be met, another notification and further request for discontinued operations must be submitted in conformance with the requirements of this section. Within 48 hours of the station's return to operation, the licensee must notify the Commission of such fact. All notification must be in writing.

(d) The licensee of an FM translator or booster station must notify the Commission of its intent to permanently discontinue operations at least two days before operation is discontinued. Immediately after discontinuance of operation, the licensee shall forward the station license and other instruments of authorization to the FCC, Washington, DC for cancellation.

(e) Failure of an FM translator or booster station to operate for a period of 30 or more consecutive days, except for causes beyond the control of the licensee or authorized pursuant to paragraph (c) of this section, shall be deemed evidence of discontinuation of operation and the license of the station may be cancelled at the discretion of the Commission. Furthermore, the station's license will expire as a matter of law, without regard to any causes beyond control of the licensee or to any authorization pursuant to paragraph (c) of this section, if the station fails to transmit broadcast signals for any consecutive 12-month period, notwithstanding any provision, term, or condition of the license to the contrary.

[55 FR 50699, Dec. 10, 1990, as amended at 61 FR 28768, June 6, 1996]

§ 74.1265 Posting of station license.

(a) The station license and any other instrument of authorization or individual order concerning the construction of the station or the manner of operation shall be kept in the station record file maintained by the licensee so as to be available for inspection upon request to any authorized representative of the Commission.

(b) The call sign of the translator or booster together with the name, ad-

dress, and telephone number of the licensee or local representative of the licensee if the licensee does not reside in the community served by the translator or booster, and the name and address of a person and place where station records are maintained, shall be displayed at the translator or booster site on the structure supporting the transmitting antenna, so as to be visible to a person standing on the ground at the transmitter site. The display shall be prepared so as to withstand normal weathering for a reasonable period of time and shall be maintained in a legible condition by the licensee.

[35 FR 15388, Oct. 2, 1970, as amended at 40 FR 24901, June 11, 1975]

§ 74.1269 Copies of rules.

The licensee or permittee of a station authorized under this subpart shall have a current copy of Volumes I (parts 0, 1, 2 and 17) and III (parts 73 & 74) of the Commission's Rules and shall make the same available for use by the operator in charge. Each such licensee or permittee shall be familiar with those rules relating to stations authorized under this subpart. Copies of the Commission's Rules may be obtained from the Superintendent of Documents, Government Printing Office, Washington, DC 20402.

[55 FR 50699, Dec. 10, 1990]

§ 74.1281 Station records.

(a) The licensee of a station authorized under this Subpart shall maintain adequate station records, including the current instrument of authorization, official correspondence with the FCC, maintenance records, contracts, permission for rebroadcasts, and other pertinent documents.

(b) Entries required by § 17.49 of this chapter concerning any observed or otherwise known extinguishment or improper functioning of a tower light:

(1) The nature of such extinguishment or improper functioning.

(2) The date and time the extinguishment of improper operation was observed or otherwise noted.

(3) The date, time and nature of adjustments, repairs or replacements made.

§ 74.1283

47 CFR Ch. I (10–1–99 Edition)

(c) The station records shall be maintained for inspection at a residence, office, or public building, place of business, or other suitable place, in one of the communities of license of the translator or booster, except that the station records of a booster or translator licensed to the licensee of the primary station may be kept at the same place where the primary station records are kept. The name of the person keeping station records, together with the address of the place where the records are kept, shall be posted in accordance with § 74.1265(b) of the rules. The station records shall be made available upon request to any authorized representative of the Commission.

(d) Station logs and records shall be retained for a period of two years.

[48 FR 44807, Sept. 30, 1983]

§ 74.1283 Station identification.

(a) The call sign of an FM broadcast translator station will consist of the initial letter K or W followed by the channel number assigned to the translator and two letters. The use of the initial letter will generally conform to the pattern used in the broadcast service. The two letter combinations following the channel number will be assigned in order and requests for the assignment of particular combinations of letters will not be considered.

(b) The call sign of an FM booster station will consist of the call sign of the primary station followed by the letters "FM" and the number of the booster station being authorized, e.g., WFCCFM-1.

(c) A translator station authorized under this subpart shall be identified by one of the following methods.

(1) By arranging for the primary station whose station is being rebroadcast to identify the translator station by call sign and location. Three such identifications shall be made during each day: once between 7 a.m. and 9 a.m., once between 12:55 p.m. and 1:05 p.m. and once between 4 p.m. and 6 p.m. Stations which do not begin their broadcast before 9 a.m. shall make their first identification at the beginning of their broadcast days. The licensee of an FM translator whose station identification is made by the primary station must arrange for the primary station li-

censee to keep in its file, and to make available to FCC personnel, the translator's call letters and location, giving the name, address and telephone number of the licensee or his service representative to be contacted in the event of malfunction of the translator. It shall be the responsibility of the translator licensee to furnish current information to the primary station licensee for this purpose.

(2) By transmitting the call sign in International Morse Code at least once each hour. Transmitters of FM broadcast translator stations of more than 1 watt transmitter output power must be equipped with an automatic keying device that will transmit the call sign at least once each hour, unless there is in effect a firm agreement with the translator's primary station as provided in § 74.1283(c)(1) of this section. Transmission of the call sign can be accomplished by:

(i) Frequency shifting key; the carrier shift shall not be less than 5 kHz nor greater than 25 kHz.

(ii) Amplitude modulation of the FM carrier of at least 30 percent modulation. The audio frequency tone use shall not be within 200 hertz of the Emergency Broadcast System Attention signal alerting frequencies.

(d) FM broadcast booster stations shall be identified by their primary stations, by the broadcasting of the primary station's call signs and location, in accordance with the provisions of § 73.1201 of this chapter.

(e) The Commission may, in its discretion, specify other methods of identification.

[55 FR 50699, Dec. 10, 1990]

§ 74.1284 Rebroadcasts.

(a) The term *rebroadcast* means the reception by radio of the programs or other signals of a radio station and the simultaneous retransmission of such programs or signals for direct reception by the general public.

(b) The licensee of an FM translator shall not rebroadcast the programs of any FM broadcast station or other FM translator without obtaining prior consent of the primary station whose programs are proposed to be retransmitted. The Commission shall be notified of the call letters of each station

Federal Communications Commission

Pt. 74, Index

rebroadcast and the licensee of the FM translator shall certify that written consent has been received from the licensee of the station whose programs are retransmitted.

(c) An FM translator is not authorized to rebroadcast the transmissions of any class of station other than an FM broadcast station or another FM translator.

§ 74.1290 FM translator and booster station information available on the Internet.

The Mass Media Bureau's Audio Services Division provides information on the Internet regarding FM translator and booster stations, rules, and policies at <http://www.fcc.gov/mmb/asd/>.

[63 FR 33879, June 22, 1998]

ALPHABETICAL INDEX—PART 74

A	
Additional orders by FCC (All Services)	74.28
Antenna, Directional (Aural STL/Relays)	74.536
Antenna location—	
LPTV/TV Translator	74.737
FM Translators/Boosters	74.1237
Antenna structure, marking and lighting (All Services).	74.30
Antenna structure, Use of common (All Services).	74.22
Antenna systems (TV Auxiliaries)	74.641
Antennas (ITFS)	74.937
Application Processing—ITFS	74.911
Application requirements of Part 73 applicable to ITFS.	74.910
Applications, Notification of filing (All Services) ..	74.12
Assignment, Frequency—	
Experimental Broadcast Station	74.103
Remote Pickup	74.402
Aural broadcast auxiliary stations	74.502
TV Auxiliaries	74.602
LPTV/TV Translators	74.702
ITFS	74.902
FM Translators/Boosters	74.1202
Authorization of equipment—	
Aural Auxiliary	74.550
Remote Pickup	74.451
TV Auxiliaries	74.655
Low Power Auxiliaries	74.851
ITFS	74.952
FM Translators/Boosters	74.1250
Authorization, Temporary—	
Aural broadcast auxiliary stations	74.537
Remote Pickup	74.433
TV Auxiliaries	74.633
Low Power Auxiliaries	74.833
Authorized emission—	
Experimental Broadcast Station	74.133
Remote Pickup	74.462
Aural broadcast auxiliary stations	74.535
TV Auxiliaries	74.637
LPTV/TV Translators	74.736
ITFS	74.936
FM Translators/Boosters	74.1236
Authorized frequencies (remote broadcast pickup).	74.402

Automatic relay stations (Remote pickup)	74.436
Avoidance of interference (TV Auxiliaries)	74.604
B	
Bandwidth and emissions authorized—	
Remote Pickup	74.462
Aural broadcast auxiliary stations	74.535
LPTV/TV Translators	74.736
ITFS	74.936
FM Translators/Boosters	74.1236
Boosters, Signal UHF translator	74.733
Broadcast regulations applicable to LPTV, TV translators, and TV boosters.	74.780
Broadcasting emergency information (All services).	74.21
C	
Changes of Equipment—	
Experimental Broadcast Stations	74.151
Remote Pickup	74.452
Aural broadcast auxiliary stations	74.551
TV Auxiliaries	74.651
ITFS	74.951
Channel assignments (LPTV/TV Translator)	74.702
Channels, Sound (TV Auxiliaries)	74.603
Charges, Program Service, (Experimental Broadcast Stations).	74.182
Classes of stations—	
Aural broadcast auxiliary stations	74.501
TV Auxiliaries	74.601
Construction permit, Statement of understanding, (Experimental Broadcast Stations).	74.112
Copies of the rules—	
LPTV/TV Translators	74.769
ITFS	74.969
FM Translators/Boosters	74.1269
Cross Reference (All Services)	74.5
D	
Definitions—	
General	74.2
Remote Pickup	74.401
LPTV/TV translators	74.701
Low Power Auxiliaries	74.801
ITFS	74.901
FM Translators/Boosters	74.1201
Directional antenna required (Aural STL/Relays)	74.536
E	
Emergency information Broadcasting (All Services).	74.21
Emission authorized—	
Experimental Broadcast Stations	74.133
Remote Pickup	74.462
Aural broadcast auxiliary stations	74.535
TV Auxiliaries	74.637
LPTV/TV Translators	74.736
ITFS	74.936
FM Translators/Boosters	74.1236
Equipment and installation—	
FM Translators/Boosters	74.1250
Equipment authorization—	
Aural broadcast auxiliary stations	74.550
Remote Pickup	74.451
TV Auxiliaries	74.655
Low Power Auxiliaries	74.851
ITFS	74.952
FM Translators/Boosters	74.1250
Equipment Changes—	
Experimental Broadcast Station	74.151
Remote Pickup	74.452
Aural broadcast auxiliary stations	74.551
TV Auxiliaries	74.651
LPTV/TV Translators	74.751
Low Power Auxiliaries	74.852
ITFS	74.951
FM Translators/Boosters	74.1251

Pt. 74, Index

47 CFR Ch. I (10–1–99 Edition)

Equipment, Notification of—			
Aural broadcast auxiliary stations	74.550	Licenses, Posting of—	
TV Auxiliaries	74.655	Experimental Broadcast Stations	74.165
Equipment Performance—		Remote pickup broadcast stations	74.432
FM Translators/Boosters	74.1250	Aural broadcast auxiliary stations	74.564
Equipment tests (All Services)	74.13	TV Auxiliaries	74.664
Experimental Broadcast station	74.101	LPTV/TV Translators	74.765
Experimental Broadcast Station, Uses of	74.102	Low power auxiliary stations	74.832
Extension of station licenses, Temporary (All Services).	74.16	ITFS	74.965
		FM Translators/Boosters	74.1265
		Licenses, station, Temporary extension (All Services).	74.16
F		Licensing requirements—	
Filing of applications, Notification of (All Services).	74.12	Experimental Broadcast Stations	74.131
Frequencies, Authorized (Remote broadcast pickup).	74.402	Remote Pickup	74.432
Frequency assignment—		Aural broadcast auxiliary stations	74.532
Experimental Broadcast Stations	74.103	TV Auxiliaries	74.632
Remote Pickup	74.402	LPTV/TV Translators	74.732
Aural broadcast auxiliary stations	74.502	Low Power Auxiliaries	74.832
TV Auxiliary	74.602	ITFS	74.932
LPTV/TV Translators	74.702	FM Translators/Boosters	74.1232
Low Power Auxiliaries	74.802	Lighting and Marking of antenna structures (All Services).	74.30
ITFS	74.902	Limitations on power—	
FM Translators/Boosters	74.1202	Experimental Broadcast Stations	74.132
Frequency monitors and measurements—		Remote Pickup	74.461
Experimental Broadcast Stations	74.162	Aural broadcast auxiliary stations	74.534
Remote Pickup	74.465	TV Auxiliaries	74.636
Aural broadcast auxiliary stations	74.562	LPTV/TV Translators	74.735
TV Auxiliaries	74.662	ITFS	74.935
LPTV/TV Translators	74.762	FM Translators/Boosters	74.1235
ITFS	74.962	LPTV, Broadcast rules applicable to	74.780
FM Translators/Boosters	74.1262		
Frequency tolerance—		M	
Experimental Broadcast Stations	74.161	Marking and lighting of antenna structures (All Services).	74.30
Remote Pickup	74.464	Modification of transmission systems—	
Aural broadcast auxiliary stations	74.561	LPTV/TV Translators	74.751
TV Auxiliaries	74.661	ITFS	74.951
LPTV/TV Translators	74.761	FM Translators and Boosters	74.1251
ITFS	74.961	Modulation limits—	
FM Translator/Boosters	74.1261	TV Auxiliaries	74.663
I		ITFS	74.970
Identification of station—		Modulation monitors and measurements (ITFS)	74.971
Experimental Broadcast Stations	74.183	Modulation requirements (Remote Pickup)	74.463
Remote Pickup	74.482	Monitors and measurements, Frequency—	
Aural broadcast auxiliary stations	74.582	Experimental Broadcast Stations	74.162
TV Auxiliaries	74.682	Remote Pickup	74.465
LPTV/TV Translators	74.783	Aural broadcast auxiliary stations	74.562
Low Power Auxiliaries	74.882	TV Auxiliaries	74.662
ITFS	74.982	LPTV/TV Translators	74.762
FM Translators/Boosters	74.1283	ITFS	74.962
Information on the Internet, FM translator and booster stations.	74.1290	FM Translators/Boosters	74.1262
Inspection of station by FCC (All Services)	74.3	Multiple ownership—	
Interference—		Experimental Broadcast Stations	74.134
LPTV/TV Translators	74.703	LPTV/TV Translator	74.732
ITFS	74.903	N	
FM Translators/Boosters	74.1203	Notification of filing of applications (All Services)	74.12
Interference avoidance (TV Auxiliaries)	74.604	O	
Interference—safety of life and property (All Services).	74.23	Operation, Remote control—	
ITFS—		Aural broadcast auxiliary stations	74.533
Application processing	74.911	TV Auxiliaries	74.634
Application requirements from part 73	74.910	Operation, Short term (All Services)	74.24
Interference	74.903	Operation, Time of—	
Petition to deny	74.912	Experimental Broadcast Stations	74.163
Purpose and permissible service	74.931	LPTV/TV Translator	74.763
Response station hubs	74.939	ITFS	74.963
Response stations (individually licensed)	74.940	FM Translator/Boosters	74.1263
Signal booster stations	74.985	Operation, Unattended (and/or attended)—	
Transmission standards	74.938	Aural broadcast auxiliary stations	74.533
Wireless cable use	74.990	TV Auxiliaries	74.635
L		LPTV/TV Translators	74.734
Land mobile station protection (from LPTV)	74.709	ITFS	74.934
License period, Station (All Services)	74.15	FM Translators/Boosters	74.1234
		Operator requirements, General (All Services) ..	74.18
		Orders, Additional (All Services)	73.28

Federal Communications Commission

Pt. 74, Index

Ownership, Multiple—			
Experimental Broadcast Stations	74.134		
LPTV/TV Translators	74.732		
P			
Permissible service—			
Aural broadcast auxiliary stations	74.531		
TV Auxiliaries	74.631		
LPTV/TV Translators	74.731		
Low Power Auxiliaries	74.831		
ITFS	74.931		
FM Translators/Boosters	74.1231		
Petitions to deny: ITFS	74.912		
Posting of licenses—			
Experimental Broadcast Stations	74.165		
Remote pickup broadcast stations	74.432		
Aural broadcast auxiliary stations	74.564		
TV Auxiliaries	74.664		
LPTV/TV Translators	74.765		
Low power auxiliary stations	74.832		
ITFS	74.965		
FM Translators/Boosters	74.1265		
Power limitations—			
Experimental Broadcast Stations	74.132		
Aural broadcast auxiliary stations	74.534		
TV Auxiliaries	74.636		
LPTV/TV Translators	74.735		
ITFS	74.935		
FM Translators/Boosters	74.1235		
Program or service tests (All Services)	74.14		
Program service, Charges (Experimental Broadcast Stations)	74.182		
Protection by LPTV—			
To broadcast stations	74.705		
To other LPTV and TV Translator stations	74.707		
To Land Mobile stations	74.709		
Purpose of service—			
LPTV/TV Translators	74.731		
ITFS	74.931		
FM Translators/Boosters	74.1231		
R			
Rebroadcasts—			
Experimental Broadcast Stations	74.184		
LPTV/TV Translators	74.784		
ITFS	74.984		
FM Translators/Boosters	74.1284		
Records, Station (Experimental Broadcast Stations)	74.181		
Regulations, Broadcast, applicable to LPTV and TV translators	74.780		
Relay stations, Automatic, (Remote Pickup)	74.436		
Remote pickup broadcast frequencies	74.402		
Remote control operation—			
Aural broadcast auxiliary stations	74.533		
TV Auxiliaries	74.634		
Remote pickup stations, Rules special to	74.431		
Renewal, Supplementary report (Experimental Broadcast Stations)	74.113		
Response station hubs (ITFS)	74.939		
Response stations (ITFS; individually licensed)	74.940		
Rules, Copies of—			
LPTV/TV Translators	74.769		
ITFS	74.969		
FM Translators/Boosters	74.1269		
Rules special to Remote Pickup stations	74.431		
S			
Safety of life and property-interference jeopardy (All services)	74.23		
Scope (of Subpart—General)	74.1		
Service or program tests (All Services)	74.14		
Service, Permissible—			
Aural broadcast auxiliary stations	74.531		
TV Auxiliaries	74.631		
LPTV/TV Translators	74.731		
Low Power Auxiliaries	74.831		
ITFS	74.931		
FM Translators/Boosters	74.1231		
Service, Scope of (Low Power Auxiliaries)	74.831		
Short term operation (All services)	74.24		
Signal boosters—			
UHF translator (LPTV/TV Translators)	74.733		
ITFS	74.985		
Sound channels (TV Auxiliaries)	74.603		
Statement of understanding (Construction permit-Experimental Broadcast Stations)	74.112		
Station identification—			
Experimental Broadcast Stations	74.183		
Remote Pickup	74.482		
Aural broadcast auxiliary stations	74.582		
TV Auxiliaries	74.682		
LPTV/TV Translators	74.783		
Low Power Auxiliaries	74.882		
ITFS	74.982		
FM Translators/Boosters	74.1283		
Station inspection by FCC (All Services)	74.3		
Station license period (All Services)	74.15		
Station records (Experimental Broadcast Stations)	74.181		
T			
Technical requirements (Low Power Auxiliaries)	74.861		
Temporary authorizations—			
Remote Pickup	74.433		
Aural broadcast auxiliary stations	74.537		
TV Auxiliaries	74.633		
Low Power Auxiliaries	74.833		
Temporary extension of stations licenses (All Services)	74.16		
Tests, Equipment (All Services)	74.13		
Tests, Service or program (All Services)	74.14		
Time of operation—			
Experimental Broadcast Stations	74.163		
LPTV/TV Translators	74.763		
ITFS	74.963		
FM Translators/Boosters	74.1263		
Tolerance, Frequency—			
Experimental Broadcast Stations	74.161		
Remote Pickup	74.464		
Aural broadcast auxiliary stations	74.561		
TV Auxiliaries	74.661		
LPTV/TV Translators	74.761		
ITFS	74.961		
FM Translator/Boosters	74.1261		
Translator signal boosters, UHF (LPTV/TV Translators)	74.733		
Translators, TV, Purpose of (LPTV/TV Translators)	74.731		
Transmission standards (ITFS)	74.938		
Transmission system facilities (LPTV/TV Translators)	74.750		
Transmission systems, modification of—			
LPTV/TV Translator	74.751		
ITFS	74.951		
FM Translators/Boosters	74.1251		
Transmissions, Permissible (Low Power Auxiliaries)	74.831		
Transmitter power (Remote Pickup)	74.461		
Transmitters and associated equipment (FM Translators/Boosters)	74.1250		
TV boosters, Broadcast rules applicable to (LPTV/TV Translators/TV Boosters)	74.780		
TV Broadcast station protection (from LPTV/TV Translators)	74.705		
TV, Low Power and translators, protection to (LPTV/TV Translators)	74.707		
TV translators, Broadcast rules applicable to (LPTV/TV Translators)	74.780		
U			
UHF translator signal boosters (LPTV/TV Translators)	74.733		
Unattended operation—			

Pt. 76

Aural broadcast auxiliary stations	74.531
TV Auxiliaries	74.635
LPTV/TV Translators	74.734
ITFS	74.934
FM Translators/Boosters	74.1234
Use of common antenna structure (All services)	74.22
V [Reserved]	
W	
Wireless cable usage of ITFS	74.990
X-Z [Reserved]	

[50 FR 38535, Sept. 23, 1985, as amended at 51 FR 34622, Sept. 30, 1986; 52 FR 37316, Oct. 6, 1987; 52 FR 47569, Dec. 15, 1987; 63 FR 33879, June 22, 1998; 63 FR 65127, Nov. 25, 1998]

**PART 76—MULTICHANNEL VIDEO
AND CABLE TELEVISION SERVICE**

Subpart A—General

- Sec.
- 76.1 Purpose.
 - 76.3 Other pertinent rules.
 - 76.5 Definitions.
 - 76.6 General pleading requirements.
 - 76.7 General special relief, waiver, enforcement, complaint, show cause, forfeiture, and declaratory ruling procedures.
 - 76.8 Status conference.
 - 76.9 Confidentiality of proprietary information.
 - 76.10 Review.
 - 76.11 Lockbox enforcement.

Subpart B—Registration Statements

- 76.12 Registration statement required.
- 76.14 Who may sign registration statements.
- 76.17 Public notice.
- 76.29 Special temporary authority.

**Subpart C—Federal-State/Local Regulatory
Relationships [Reserved]**

**Subpart D—Carriage of Television
Broadcast Signals**

- 76.51 Major television markets.
- 76.53 Reference points.
- 76.54 Significantly viewed signals; method to be followed for special showings.
- 76.55 Definitions applicable to the must-carry rules.
- 76.56 Signal carriage obligations.
- 76.57 Channel positioning.
- 76.58 Notification.
- 76.59 Modification of television markets.
- 76.60 Compensation for carriage.
- 76.61 Disputes concerning carriage.
- 76.62 Manner of carriage.
- 76.64 Retransmission consent.
- 76.67 Sports broadcasts.
- 76.70 Exemption from input selector switch rules.

47 CFR Ch. I (10–1–99 Edition)

**Subpart E—Equal Employment Opportunity
Requirements**

- 76.71 Scope of application.
- 76.73 General EEO policy.
- 76.75 EEO program requirements.
- 76.77 Reporting requirements.
- 76.79 Records available for public inspection.

**Subpart F—Nonduplication Protection and
Syndicated Exclusivity**

- 76.92 Network non-duplication; extent of protection.
- 76.93 Parties entitled to network non-duplication protection.
- 76.94 Notification.
- 76.95 Exceptions.
- 76.97 Effective dates.
- 76.151 Syndicated program exclusivity: Extent of protection.
- 76.153 Parties entitled to syndicated exclusivity.
- 76.155 Notification.
- 76.156 Exceptions.
- 76.157 Exclusivity contracts.
- 76.158 Indemnification contracts.
- 76.159 Requirements for invocation of protection.
- 76.161 Substitutions.
- 76.163 Effective dates.

Subpart G—Cablecasting

- 76.205 Origination cablecasts by legally qualified candidates for public office; equal opportunities.
- 76.206 Candidate rates.
- 76.207 Political file.
- 76.209 Fairness doctrine; personal attacks; political editorials.
- 76.213 Lotteries.
- 76.221 Sponsorship identification; list retention; related requirements.
- 76.225 Commercial limits in children's programs.
- 76.227 Blocking of indecent sexually-oriented programming channels.

**Subpart H—General Operating
Requirements**

- 76.300 Scope of application.
- 76.301 Copies of rules.
- 76.302 Required recordkeeping for must-carry purposes.
- 76.305 Records to be maintained locally by cable system operators for public inspection.
- 76.307 System inspection.
- 76.309 Customer service obligations.

Subpart I—Forms and Reports

- 76.400 Operator, mail address, and operational status changes.
- 76.403 Cable television system reports.